

**Transitional Justice as Redistribution: Socioeconomic
(In)justice and the Limits of International Intervention
in Bosnia and Herzegovina**

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Declaration of authorship

I, Daniela Lai, hereby declare that this thesis and the work presented in it is entirely my own. Where I have consulted the work of others, this is always clearly stated.

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ABSTRACT

Whether socioeconomic justice belongs within the transitional justice framework is still a matter of contention. The thesis responds to the conceptual challenges and empirical indeterminacy of these debates by addressing the following questions: what is the role of socioeconomic justice and injustice in war and transition, and how do post-war societies deal with socioeconomic injustice? Understanding socioeconomic justice as redistribution, and looking at post-war justice as a contested concept and social practice shaped by the intervention of international forces, the thesis analyses socioeconomic injustice and justice claims from the perspective of local communities in Bosnia and Herzegovina, with a particular focus on Prijedor and Zenica. The thesis advances a threefold argument. Firstly, it shows that experiences of injustice rooted in the political economy were common during the war and continued during the transition process, and that they went beyond interethnic violence. In the eyes of local communities, their perception was also aggravated by the contrast with their memories of the socialist past, which in turn also shaped their conceptions of justice and justice claims. Secondly, the international intervention in post-war Bosnia acknowledged experiences of injustice selectively – with varying effects in Prijedor and Zenica – and was limited by a narrow understanding of socioeconomic justice as reparation, as well as by the priorities driving economic reforms. Emerging conceptions of justice and justice claims were thus more transformative, forward-looking, and external to the transitional justice framework in Zenica compared to Prijedor. Lastly, the thesis shows that social mobilisation for redistribution, as witnessed in the 2014 protests, can be interpreted as resulting from persisting and unaddressed socioeconomic grievances, and as further exemplifying the limitations of the international intervention.

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Table of Contents

ABSTRACT	3
ACKNOWLEDGEMENTS	4
LIST OF ABBREVIATIONS	9
LIST OF TABLES	11
INTRODUCTION	12
Research question and thesis argument	14
Bosnia and Herzegovina from a peacebuilding and transitional justice perspective	16
Case background: Bosnia and Herzegovina between socialism and war.....	19
Scope and aims of the research	25
Contributions of the thesis.....	27
Thesis outline.....	29
CHAPTER 1. A TALE OF TWO COUNTRIES? POST-WAR AND POST-SOCIALIST TRANSITION IN BOSNIA AND HERZEGOVINA	35
1.1 Transitional justice and its socioeconomic dimension.....	37
1.1.1 <i>The challenge of defining socioeconomic justice for societies in transition</i>	40
1.1.2 <i>Advancing the debate: the need for empirical research</i>	45
1.2 Expectations not met? Transitional justice studies on Bosnia and Herzegovina.....	46
1.3 Post-socialism and post-war reconstruction: building peace, democracy and a free market	52
1.4 Conclusion	58
CHAPTER 2. THEORETICAL FRAMEWORK AND METHODOLOGY	61
2.1 Socioeconomic justice as redistribution	62
2.1.1 <i>Socioeconomic justice in the 'post-socialist' and 'post-war' condition</i>	65
2.2 Transitional justice as a social practice.....	67
2.2.1 <i>Justice as a contested concept</i>	67
2.2.2 <i>Justice as a contested practice</i>	69
2.3 International forces	71
2.4 Research design.....	73
2.4.1 <i>Methodology</i>	74
2.4.2 <i>Research methods: data collection and analysis</i>	77

2.5	Ethical issues.....	84
2.6	Conclusion	87
CHAPTER 3. SOCIOECONOMIC JUSTICE ISSUES BETWEEN TRANSITIONAL JUSTICE AND POST-SOCIALIST REFORM.....		89
3.1	Setting discursive boundaries: international perspectives on justice in BiH	91
3.2	The socioeconomic dimension of transitional justice efforts in BiH.....	94
3.2.1	<i>Reparations as war-related payments</i>	95
3.2.2	<i>Return, reconstruction and the search for missing people</i>	97
3.3	Neoliberalism and the political economy of socioeconomic injustice	100
3.3.1	<i>Labour laws and social policy</i>	101
3.3.2	<i>Privatisations and industrial policy</i>	106
3.3.3	<i>Macroeconomic policy</i>	109
3.4	Conclusion	114
CHAPTER 4. SOCIOECONOMIC INJUSTICE IN WAR AND TRANSITION: THE CASES OF PRIJEDOR AND ZENICA		116
4.1	Commonalities between Prijedor and Zenica.....	118
4.1.1	<i>Two cities, one path to development</i>	119
4.1.2	<i>Prijedor and Zenica in transition</i>	122
4.1.3	<i>'We had our Germany right here': life during socialism</i>	125
4.2	Socioeconomic injustice and violence during the war.....	129
4.2.1	<i>The socioeconomic consequences of the war</i>	129
4.2.2	<i>The white armband and beyond: socioeconomic injustice in Prijedor</i>	131
4.2.3	<i>Endangered jobs and livelihoods in Zenica</i>	135
4.3	After the war: transition or the continuation of injustice?	137
4.3.1	<i>Transition in the eyes of locals</i>	138
4.3.2	<i>Loss of jobs, status and health in Zenica</i>	141
4.3.3	<i>The continuation of social exclusion in Prijedor</i>	146
4.4	Conclusion	149
CHAPTER 5. STRUGGLING TO BE HEARD: CONCEPTIONS OF SOCIOECONOMIC JUSTICE IN PRIJEDOR AND ZENICA		152
5.1	Developing 'paradigms of justice'	154
5.1.1	<i>The role of perceptions and memories of the past</i>	155
5.1.2	<i>The contextual element: international intervention in post-war justice processes</i>	157

5.1.3	<i>Transitional justice interventions in Prijedor and Zenica</i>	159
5.2	Socioeconomic issues and conceptions of justice	164
5.2.1	<i>Conceptions of socioeconomic justice in Prijedor</i>	165
5.2.2	<i>Conceptions of socioeconomic justice in Zenica</i>	169
5.3	Form and expression of justice claims	174
5.3.1	<i>Justice claims in Prijedor</i>	175
5.3.2	<i>Justice claims in Zenica</i>	179
5.4	Conclusion	184
CHAPTER 6. MOBILISING FOR SOCIOECONOMIC (IN)JUSTICE: THE 2014 PROTESTS, THEIR ORIGINS AND AFTERMATH		187
6.1	The sources of discontent and the struggle to mobilise.....	189
6.1.1	<i>The material sources of the protests: Bosnia's post-industrial towns</i>	189
6.1.2	<i>The intellectual origins of the protest movement</i>	192
6.1.3	<i>Workers in Prijedor and Zenica: survival strategies and 'getting by'</i>	195
6.2	The 2014 protests.....	198
6.2.1	<i>From Tuzla to the plenum movement: the February 2014 protests in brief</i>	198
6.2.2	<i>Socioeconomic justice claims: a transformative approach</i>	203
6.2.3	<i>New forms of political participation: the 'plenum'</i>	209
6.3	Between dissolution and institutionalisation? International engagement with the protest movement.....	212
6.3.1	<i>The EU-led Compact for Growth and Jobs</i>	213
6.3.2	<i>An alternative model for civil society building? The Austrian Initiative</i> ...	218
6.4	Conclusion	224
CONCLUSION		227
	Key findings.....	227
	Rethinking the meaning of justice for societies in transition	233
	Accountability and the role of international actors in peace and justice processes.....	237
	Escaping the post-war condition: linking Bosnian agency with international movements for social justice.....	241
	Implications for further research and for the practice of dealing with the past ..	244
BIBLIOGRAPHY		248
APPENDIX 1 – LIST OF INTERVIEWEES [REDACTED FROM DEPOSITORY VERSION]		
APPENDIX 2 – INFORMATION SHEET [REDACTED FROM DEPOSITORY VERSION]		
APPENDIX 3 – INTERVIEW GUIDE [REDACTED FROM DEPOSITORY VERSION]		

LIST OF ABBREVIATIONS

BASOC - Banjalučki Socijalni Centar
BiH - Bosna i Hercegovina (Bosnia and Herzegovina)
CBBH - Central Bank of Bosnia and Herzegovina
CEN - Central Record on Missing Persons
CPRC - Commission for Real Property Claims of Displaced Persons and Refugees
DPA - Dayton Peace Agreement
EBRD - European Bank for Reconstruction and Development
ECHR - European Convention on Human Rights
ECtHR - European Court of Human Rights
EU - European Union
FBiH - Federation of Bosnia and Herzegovina
FDI - Foreign Direct Investments
GDP - Gross Domestic Product
HVO - Hrvatsko Vijeće Obrane
ICC - International Criminal Court
ICJ - International Court of Justice
ICMP - International Commission for Missing Persons
ICTJ - International Center for Transitional Justice
ICTR - International Criminal Tribunal for Rwanda
ICTY - International Criminal Tribunal for the former Yugoslavia
IFIs - International Financial Institutions
IHL - International Humanitarian law
IMF - International Monetary Fund
JMBG - Jedinstveni Matični Broj Građana
KM - Konvertibilna Marka
NGO - Non Governmental Organisation
OHR - Office of the High Representative
OSCE - Organisations for Security and Cooperation in Europe
PIC - Peace Implementation Council
PIFs - Privatisation Investment Funds

PM - Prime Minister

PREDA - Prijedor Development Agency

RMK Zenica - Rudarski-Metalurški Kombinat Zenica

RS - Republika Srpska

RŽR Ljubija - Rudnik i Željezne Rude Ljubija

SME - Small and Medium Enterprises

UN - United Nations

UNDP - United Nations Development Programme

UNGA - United Nations General Assembly

UNSC - United Nations Security Council

USAID - United States Agency for International Development

VRS - Vojska Republike Srpske

WB - World Bank

ZEDA - Zenica Development Agency

LIST OF TABLES

Table 2.1 Fieldwork: summary of key information.....	76
Table 2.2 Interviewees	80
Table 2.3 Analysis of interviews with workers and activists.....	84
Table 4.1 Basic social and economic data, Prijedor and Zenica.....	120
Table 5.1. Summary of socioeconomic injustices in Prijedor and Zenica.....	156
Table 5.2. ICTY cases on Prijedor and Zenica	160
Table 5.3. Developing justice claims from experiences of injustice (Prijedor).....	167
Table 5.4. Developing justice claims from experiences of injustice (Zenica).....	173
Table 6.1. 2014 Protests: Timeline of events	201
Table 6.2. Protest slogans 2014-2015	204
Table 6.3. Austrian Initiative participants	219

INTRODUCTION

We fight exclusively for an order based on social justice.

(Declaration of the Sarajevo Citizens' Plenum, 9th February 2014)¹

On 7th February 2014, thousands of citizens took the streets throughout Bosnia, in the largest popular mobilisation of the post-war period. They were protesting in solidarity with workers from the city of Tuzla, who had been demonstrating for a few days already, and had met with violent reaction from the police on February 5th. Workers from Tuzla were claiming pay arrears and labour rights, and protesting against corrupt, failed privatisations that had left many effectively unemployed. Like many other Bosnian cities, Tuzla developed during socialist times thanks to public investment in the industrial sector. Post-war deindustrialisation, rising unemployment, and lack of political accountability were now fuelling discontent in many parts of the country. Ultimately, as the demonstrators pointed out, the protests were about social justice: in fact, the protests brought this term to the forefront of public debate in Bosnia and Herzegovina for the first time in many years.²

Bosnia is mostly known to the outside world for a bitter interethnic conflict. Analyses of the causes, conduct and consequences of the war cannot disregard the ethnic divisions and the crimes committed in their name. Similarly, justice issues are largely understood, and studied by scholars, in relation to the problem of establishing

¹ Declaration of the Sarajevo Citizens' Plenum (#3), 9th February 2014
<<https://bhprotestfiles.wordpress.com/2014/02/09/declaration-of-the-sarajevo-citizens-plenum-3/>>, last accessed 12 December 2016.

² Hereafter BiH (short for Bosna i Hercegovina) or Bosnia. Bosnia is divided in two administrative entities, Republica Srpska (also referred to as RS) and the Federation of Bosnia and Herzegovina (FBiH), plus the autonomous Brčko District. The Federation is itself composed of 10 cantons, each with their own government.

accountability for war crimes, crimes against humanity and genocide. It was as a result of mass violence committed during the Bosnian war (1992-1995) that the first international tribunal since the end of World War II was set up. The International Criminal Tribunal for the former Yugoslavia (ICTY) was meant to put on trial those most responsible for these crimes in the former Yugoslav region. In contrast to the protesters' calls for socioeconomic justice, the field of transitional justice has thus been dominated by attempts at establishing retributive justice, as a way of rebuilding a post-war Bosnia based on non-violent coexistence among its three 'constituent peoples'.³ Post-war justice came to be identified with courtrooms and the work of professionalised NGOs, much more than with social mobilisation or protests.⁴ Indeed, street protests could also be seen as a threat to the Dayton settlement that succeeded in taking the country out of interethnic violence. In February 2014, some (including international officials) worried about a potentially violent escalation, and politicians spread fears of ethnic clashes. Yet, the protesters' call for social justice was civic and anti-nationalist in nature, and this seemed to puzzle international observers and the international community in Sarajevo.

This thesis will show that understanding the 2014 protests requires different categories of analysis and conceptual frameworks than those usually adopted to analyse post-war justice issues. It will show that we can trace the protests' origins back to the Bosnian war, to wartime events and to the post-war transition, but in a different way than is usually understood by scholars and external observers. In this thesis, post-war justice issues are understood as encompassing socioeconomic redistribution, alongside cultural recognition and political representation (Fraser 1995, 2003, 2009). The research presented over the coming chapters aims at uncovering aspects of post-war justice processes related to redistribution that have remained marginal in the practice and study of transitional justice.

³ The Bosnian Constitution, included as Annex 4 of the General Framework for Peace Agreement that ended the war in 1995, recognises Bosniaks, Croats and Serbs as the Republic's 'constituent peoples' among which institutional power-sharing arrangements are set up.

⁴ Although protests were organised regularly by victim groups, unsatisfied with the work of the ICTY and wanting to expand legal accountability for wartime events to international organisations (see Nettelfield 2010).

While established approaches for studying transitional justice, commonly part of peacebuilding processes, have focused on the importance of accountability for violations of International Humanitarian Law, over the past decade scholars have begun to grapple with the question of how we can conceptualise and achieve social and economic justice for societies in transition (Arbour 2007). Evolving from earlier concerns with reparations as the main economic tool of transitional justice programmes, the literature is now increasingly concerned with the role of economic violence and crimes in shaping war experiences, and with adapting transitional justice theories and approaches with a view to incorporating these violations (see especially Lambourne 2009, 2014; Laplante 2014; Sharp 2014). The field of transitional justice still suffers, however, from a lack of studies that put in relation its limitations with those of the broader transformation processes within which it is embedded, such as peacebuilding (as already pointed out by Sriram 2007 and Nagy 2008; see also Baker and Obradović-Wochnik 2016). Most importantly, the thesis discusses how processes of post-war economic restructuring bear significant relevance for socioeconomic justice. In doing so it also draws on and contribute to studies focusing on the social implications of the international intervention, in its different forms, and its interaction with local actors going beyond the organised civil society sector (Jansen 2006; Gilbert 2008; Autesserre 2014; and see also Nettelfield and Wagner 2014 for a different take on international intervention).

Research question and thesis argument

The thesis addresses the role of socioeconomic justice and injustice in war and transition. It does so by looking closely at the case of Bosnia and Herzegovina, and specifically at experiences of socioeconomic injustice, conceptions of justice and justice claims deriving from them, and at resulting instances of social mobilisation. Embedded in the answer given to this question is a conception of socioeconomic justice as redistribution, which draws on the work of Nancy Fraser (1995, 2003, 2005, 2009). The thesis understands post-war justice as a contested concept and practice, and analyses experiences, memories, and justice claims from the perspective of affected local communities. Given the specific conditions of the Bosnian context, the thesis also situates socioeconomic justice within the post-war and post-socialist

transition, and takes into account the role of the international intervention in shaping processes of dealing with the past. Throughout the argument, we can see how justice processes result from the interaction of the interpretations and perceptions of those taking part in such processes, and the contextual or external elements defining the conditions within which they act.

While the literature debates if and how socioeconomic issues should be part of transitional justice, in practice transitional justice programmes have rarely addressed them comprehensively. In the Bosnian case, the thesis argues, the international intervention in the justice sphere is limited by a narrow understanding of socioeconomic justice as the type of remedy offered for violations of physical integrity and ethnic cleansing, and by the priorities of the post-socialist transition shaping its economic reform programme. The latter is in fact aimed at liberalising the Bosnian market and integrating it within the global economy, and does not reflect justice considerations. The case for taking socioeconomic justice more seriously, however, is strengthened by evidence that local Bosnian communities commonly experienced forms of injustice that are rooted in the political economy of the war and its aftermath. As they crossed the temporal boundary between the war and the transition, such experiences of socioeconomic injustice varied between Prijedor (where they often overlapped with interethnic violence) and Zenica (where the socioeconomic component remained strongest). Moreover, their perception was further intensified by the contrast with the socialist past and the dire conditions of post-socialism.

These experiences, and the expectations formed through memories of the past, also affect the way in which local communities develop conceptions of justice and justice claims based on redistribution. These claims are, however, distorted by the international intervention, with ambiguous results. In Prijedor, where socioeconomic injustice overlapped with interethnic violence, justice claims can at least in part be related to the internationally-sponsored transitional justice discourse. This might offer some acknowledgment to local communities, but can only partly satisfy their feelings of injustice, because socioeconomic issues are left aside. On the other hand, transitional justice discourses do not capture socioeconomic claims emerging from Zenica. This limits the potential for redress and acknowledgment, but

can also leave citizens freer to develop alternative, and more transformative, conceptions of justice as redistribution.

In this context, social mobilisation for redistribution can be interpreted as the expression of unsettled and persisting socioeconomic injustice, mostly felt in Bosnia's post-industrial cities and towns. The 2014 protests, which drew on claims that are similar to the ones emerging in Prijedor and Zenica, further illustrate the limitations of the international intervention in not being able to understand the protesters' claims as a way of seeking forward-looking redistributive justice. Despite their mixed results, the 2014 protests placed socioeconomic justice at the centre of political contention and democratic processes of deliberation, adopting civic and participatory forms of mobilisation.

Bosnia and Herzegovina from a peacebuilding and transitional justice perspective

Bosnia and Herzegovina is considered an important case to study for those interested in transitional justice efforts and peacebuilding interventions. This thesis briefly introduces the questions and research issues usually associated with the Bosnian case from these perspectives, but then approaches the case of Bosnia and Herzegovina from a different angle, as discussed in the following section. While dealing with violence in war had long been a preoccupation of states and international organisations, it was with the end of the Cold War that policy-makers were confronted with a new set of challenges and dramatic changes in the global political landscape. As the outbreak of regional conflicts led to the emergence of peacebuilding and the expansion of the remit of transitional justice, the fall of socialist regimes gave Western countries and international financial institutions the chance to promote radical transformations in the political, economic and welfare systems of newly democratised countries. The study of Bosnia and Herzegovina is usually set against this background.

With the fall of the Soviet Union and the outbreak of several regional, unconventional conflicts, the international community led by the UN began developing new approaches to deal with wars and their consequences. In the 1992 *Agenda for Peace*, UN Secretary General Boutros-Ghali defined peacebuilding as the

'action to identify and support structures which will tend to strengthen and solidify peace in order to avoid a relapse into conflict' (Boutros-Ghali 1992: section II). Peacebuilding was meant to include diverse tasks, from 'disarming former belligerents to providing financial and humanitarian assistance, monitoring and conducting elections, repatriating refugees, rebuilding physical infrastructure, advising and training security personnel and judicial officials, and even temporarily taking over the administration of an entire country' (Paris 1997, 55). The practice of peacebuilding was also evolving over time, together with the conceptual underpinnings of the liberal peace to be promoted in post-conflict countries (Sabaratnam 2011), and one important development was the incorporation, within the *Supplement to an Agenda for Peace*, of the 'promotion of national reconciliation and the re-establishment of effective government' (UN 1995) within the scope of international interventions.

An international consensus started to emerge around the need to pursue justice and accountability following widespread violence against civilians in order to foster national reconciliation and promote sustainable peace. After the norm of individual accountability for human rights violations began spreading from the democratic transitions of South America (Sikkink 2011), transitional justice became a significant component of peacebuilding processes (Barnett et al 2007). On a conceptual level, some scholars have also argued that transitional justice and peacebuilding are also characterised by the same liberal thrust (Sriram 2007; Nagy 2008). The 1990s were then characterised by a drive to institutionalise the pursuit of justice in transitional contexts (see Teitel's 2000 definition), through the establishment of *ad hoc* tribunals for crimes committed in the former Yugoslavia and Rwanda, and the permanent, treaty-based, International Criminal Court (ICC).

Peacebuilding and transitional justice arguably derived from progressive concerns. Early formulations of what peacebuilding meant referred to its purpose as addressing the 'deepest causes of conflict: economic despair, social injustice and political oppression' (Boutros-Ghali 1992: I), while transitional justice aimed at revolutionising international accountability for human rights violations by undermining the immunity and impunity of heads of state and military leaders. The 1990s thus represented the peak of liberal ambitions, but also revealed the limitations of the liberal internationalist paradigm, and especially of the way in which it had

been practically implemented in post-conflict countries throughout the decade. Both endeavours – transitional justice and peacebuilding – soon came under scrutiny. First, peacebuilding was singled out for giving primacy to the international community and its prerogatives in promoting liberal democracy and market economy in post-conflict countries regardless of local conditions and preferences (Paris 1997). Such assumptions and the resulting subordination of local concerns and agency were heavily criticised (Autesserre 2010; Campbell et al. 2011; Pugh 2011; Richmond 2011) and plans to increase ‘local ownership’ of peacebuilding processes drawn up (Donais 2009). Due to the way in which it was pursued through newly established tribunals and courts, transitional justice too came to be seen as a top-down effort that left little scope for local agency (Orentlicher 2007; Sriram 2007; Lundy and McGovern 2008). Transitional justice conducted in institutions located away from post-conflict areas was also at risk of developing problems related to outreach and social perceptions among local constituencies (Gready 2005; Shaw and Waldorf 2010).

As peacebuilding and transitional justice developed and faced challenges, in parallel and jointly, socialist countries were undergoing a process of political transition that led to the establishment of democratic regimes in Eastern Europe and some former Soviet republics. Scholars began raising and answering interesting questions regarding the causes and dynamics of the transition (Linz and Stepan 1996; Stark and Bruszt 1998; Przeworski 1991), and economic reform was singled out as a particularly contentious matter. Driven by neoliberal ideas and implemented through ‘shock therapy’ (Sachs 1990; Lavigne 1995; Donais 2005), economic reforms produced effects still relevant for today’s analysis of the post-communist world, especially in light of the economic crisis (Dale 2011). In Eastern Europe the post-socialist transition unfolded peacefully, but the wars that accompanied the dissolution of Yugoslavia posed a different challenge to the international community.

What characterises Bosnia (and the former Yugoslavia more in general) compared to other regions affected by the processes mentioned above, is that the country was simultaneously subject to peacebuilding missions, transitional justice programmes, and post-socialist economic reforms. Despite the fact that Yugoslavia had already begun reforming its economic system in the 1980s, its road to market democracy was an uphill climb, featuring conflicts and the endurance of authoritarian regimes. Bosnia could be considered a *prima facie* intractable case, due

to the widespread violence of the war, the atypical post-war settlement featuring strong international authority, transitional justice 'experiments' (Dragović-Soso and Gordy 2011), and international pressures to liberalise the economy similar to Eastern Europe (Donais 2005, 26), whose effects were mediated by the dire economic, institutional and social state of the country at the end of the war (Pugh 2002). It is precisely the intersection of these phenomena, however, that makes Bosnia and Herzegovina an interesting case, and that is crucial for understanding the context within which the problem of socioeconomic injustice unfolded in the country.

Case background: Bosnia and Herzegovina between socialism and war

In this thesis, post-war justice processes are connected to changes in the political economy, and specifically to the post-socialist transition. Proving the importance of socioeconomic justice in a war that is usually considered a bitter conflict over ethnicity and national identity can give strength to the arguments for the incorporation of socioeconomic elements within processes of dealing with the past. The case of Bosnia and Herzegovina thus represents an important test case for the study of socioeconomic justice in war and transition. Looking at Bosnia from an alternative point of view also puts into question simplistic representations of the Bosnian case centred on the intractability of interethnic relations. This section thus provides a background on the country, focusing on its political-economic conditions towards the end of the Yugoslav period and leading up the war.

After being part of the Ottoman Empire for centuries, Bosnia and Herzegovina was occupied by the Habsburg Empire from 1878 until the end of World War I. Bosnia was lagging behind the other Yugoslav regions. The construction of railways and industrialisation only started after the arrival of the Austrians (Singleton and Carter 1982, 54 and 75), but much of the country was still in similar conditions as during Ottoman times when it was integrated in the new Kingdom of Serbs, Croats and Slovenes in 1918, which later became Kingdom of Yugoslavia in 1929 (Malcolm 2002). The establishment of the Socialist Federal Republic of Yugoslavia at the end of the Second World War brought significant political, social, and economic changes. Led by Josip Broz "Tito", the partisan movement founded a socialist republic, and carved an independent space for the country between the

liberal democratic West and the communist countries of Eastern Europe under Soviet influence. Unlike Eastern European countries, Yugoslavia was not liberated by Soviet troops but by Tito's forces, which also benefitted from the support of the Allies in their fight against the Nazi occupation (Malcolm 2002). This gave Tito, once he became President of the newly established Yugoslavia, a great degree of legitimacy and, to some extent, independence from external interference, or at least the possibility to use Yugoslavia's position between the blocs to the country's advantage.

After post-war attempts at agricultural collectivisation and Soviet-style planning failed (Mercinger 1991, 72; Lampe 2000), and following the Tito-Stalin split, Yugoslavia pursued a different path to socialism, characterised by socially-owned (rather than state-owned) property, and by self-management (Uvalić 1992, 6). Self-management was a key feature of Yugoslav socialism, supposedly giving the workers a prominent role in the management of firms, in social protection (Verlič-Dekleva 1991), and in society as a whole, although its practical implementation was less radical than what the state ideology purported (Unkovski-Korica 2014; Woodward 1995a). Yugoslav socialism was also characterised by a mix of socialist and market mechanisms in trade, investment and enterprise, as a result of reforms carried out throughout the 1960s. The SFRJ passed legislation allowing 'foreign investment in the form of joint ventures' already in 1967 (Getter 1990, 789), reformed the banking system and liberalised the movement of goods (Uvalić 1992, 7; Baker 2015, 21). Bosnia and Herzegovina benefitted from Yugoslav investment in the industrial sector, which brought employment opportunities outside of agriculture, urbanisation, and prompted the construction of modern infrastructure. At the same time, it was still one of the poorest regions of the Federation, and Yugoslav social plans from the 1970s and 1980s recognised that Bosnia was among the areas entitled to special assistance (Singleton and Carter 1982, 223). Internal migration to more developed republics was also common (Ibid., 228).

Yugoslavia was thus socially and economically closer to the West compared to Eastern Europe, and thus more susceptible to the external shocks and attempts of reform that later played a role in the dissolution of the country. Economic and political problems hit Yugoslavia from the 1970s, and overlapped and interacted in the 1980s. The oil crisis of 1973 made industrialisation too costly, reduced exports, and slowed down remittances sent by Yugoslav workers temporarily in Western

European countries (Uvalić 1992, 10; Baker 2015, 26). Rising unemployment and inflation exposed citizens to a precarity that the socialist regime was supposed to have eliminated (Baker 2015, 26).⁵ The Federal government reacted to the crisis by resorting to borrowing on the international market, and increasing spending and consumption. Yugoslav foreign debt increased from \$2 billion in 1970 to \$14 billion by 1979 (Uvalić 1992, 10). The debt was refinanced through IMF loans, but in return the government had to commit to a programme of structural adjustment that would limit domestic spending and bring macroeconomic stability through restrictive monetary policies and devaluations of the Yugoslav dinar (Woodward 1995b; Donais 2005, 6). The crisis brought a decline in personal income and living standards, increased unemployment, more frequent protests by workers (Lowinger 2009), and hyperinflation. Unemployment in a socialist economy was somewhat a paradox (Woodward 1995a), and the crisis of self-management put in crisis the very socialist character of the country, as it was hard to imagine Yugoslavia without it (Baker 2015, 26). The structure of unemployment also changed, as the urban youth of industrial centres was particularly affected (Mercinger 1991, 82-83). At the same time as the internationally-mandated economic reforms required a strong federal authority, the new 1974 Yugoslav Constitution had decentralised power to the republic that constituted the SFRJ (Pugh and Cooper 2004, 152; Magaš 1993). As Baker (2015, 22) notes, historians discuss whether the new Constitution ‘made Yugoslavia so structurally weak that its disintegration became inevitable’, especially if one takes into account the situation of social discontent and instability provoked by the economic crisis. The causes of the dissolution of Yugoslavia and of the ensuing Bosnian war are complex and contested, and this section (and the thesis) does not intend to enter into these debates (for an excellent overview of debates on the disintegration of Yugoslavia see Dragović-Soso 2007). The background offered here is however useful to put the Bosnian case and the topic of socioeconomic (in)justice within its broader context.

The economic crisis of the 1980s thus coincided with a struggle for power between ‘conservative’ and ‘reformist’ forces for political power after Tito’s death

⁵ See also Baker 2014 for a discussion of precarity in post-socialist Bosnia, specifically in relation to the workforce employed around the international intervention in the country.

(Gagnon 2004, 60-61). Conservatives opposed liberalising reforms in the political and economic field, and fuelled popular unrest on an ethnic basis rather than a socioeconomic one, thus precipitating social conditions and favouring the outbreak of conflict (Gagnon 2004, 62-77). As divisions within the Yugoslav elites, and especially between the Republics and the Federation, deepened, tensions in Bosnia were rising. The country was ethnically mixed: about 43.4% of the population was Muslim, 31.2% Serb, and 17.4% Croat, while 5.5% of Bosnians declared themselves 'Yugoslavs' at the 1991 census.⁶ Citizens were losing faith in the political system after a scandal emerged in 1987, when the press published revelations that the largest food processing business in the country, Agrokomerc, which employed thousands of people in the area of Velika Kladuša (north western BiH), had been financing itself with false promissory notes (Pugh and Cooper 2004, 152). The Agrokomerc scandal symbolised the crisis of confidence between the public and political elites (Baker 2015, 33). Political elites were able to use these tensions strategically and mobilise ethnically-based political support at the upcoming multi-party elections in 1990. Following months of covert preparation, especially on the part of Bosnian Serb VRS⁷ forces receiving support from Federal Yugoslavia, the war in Bosnia started in 1992, following the referendum through which the Republic declared independence from the SFRJ.⁸

As most international observers focused on the interethnic dimension of the conflict that saw Bosnian Muslim (or Bosniak) forces opposing Bosnian Serb and Serbian paramilitary units, and parallel conflicts between Bosnian Croat forces and both Serbs and Bosniaks, the story of the war as one of economic clashes, destruction, and exchange among opposing factions, ultimately at the expenses of the vast majority of Bosnian civilians, went more unnoticed. The political economy of the Bosnian war was mostly based on trafficking and on the seizure of social property. One of the first international reactions to the outbreak of war was the imposition of sanctions that hit all former Yugoslav republics, and contributed to fostering

⁶ Etnička Obilježja Stanovništva. Rezultati za Republiku i po Opštinama, 1991. Available at <http://fzs.ba/index.php/popis-stanovnistva/popis-stanovnistva-1991-i-stariji/>, accessed 16 November 2016.

⁷ VRS stands for Vojska Republike Sprske, the military forces of the Bosnian Serb self-proclaimed entity during the Bosnian war.

⁸ Slovenia and Croatia had already declared independence in 1991.

alternative sources of revenue such as trafficking and black markets (Pugh and Cooper 2004). Economic power mattered for the military effort, as the case of Velika Kladuša clearly illustrates. The former head of Agrokomerc, Fikret Abdić, used the economic and political power and resources accumulated over the years, and the strategic position of the town at the border between Bosnia and Croatia and at the junction of territories held by different warring factions, to establish his own Autonomous Province of Western Bosnia in 1993, breaking away from the Bosnian government in Sarajevo (Christia 2008, 468; see also Strazzari 2003, 143). Abdić traded with the 'enemy' Serb forces and enriched himself and his entourage through trafficking. Strazzari, who has extensively studied the link between the Balkan wars and the development of organised crime, notes that hostilities did not necessarily interrupt communication among different nationalist elites (Strazzari 2003, 142). Moreover, research shows that black markets often operated in symbiosis with international peace operations, for instance by complementing the role of international organisations in the distribution of essential humanitarian aid (Andreas 2009). As the war went on, cities, industries, roads and bridges were shelled, up to two thirds of residential property was damaged or destroyed and the Bosnian industrial production shrank to 5% of its pre-war level (World Bank 2004, 1). At the same time, ethnic cleansing was often accompanied by economic incentives in the form of theft of private property, including for instance cars and valuables from abandoned homes (Griffiths 1999). Well-connected individuals could profit from the war by collaborating in the seizure of productive assets such as factories, which were often privatised on an ethnic basis once the conflict came to an end (Donais 2002; Pugh 2002).

The Bosnian War ended in 1995 with the signing of the Dayton Peace Agreement,⁹ after the internationally community was compelled into action by events such as the fall of the Srebrenica enclave in 1995. NATO air strikes targeted Bosnian Serb troops and helped bring the siege of Sarajevo to an end. The Dayton Agreement gave extensive powers to the Office of the High Representative (OHR) of the

⁹ The official name of Dayton Agreement is General Framework Agreement for Peace in Bosnia and Herzegovina. It was initiated in Dayton (Ohio) on 21 November 1995, and signed in Paris on 14 December 1995. See the full text here <<https://www.osce.org/bih/126173?download=true>>, last accessed 12 December 2016.

international community, including 'ensuring the efficient implementation of the civilian aspects of the peace settlement' (OHR 1995). A NATO mission, IFOR (Implementation Force), was deployed to monitor compliance with the military aspects of the Dayton Agreement, and later replaced by the Stabilisation Force (SFOR). Both IFOR and SFOR were peace enforcement missions approved under Chapter VII of the UN Charter. Throughout the immediate post-war period, several UN agencies, the Organisation for Security and Cooperation in Europe (OSCE) and the EU were heavily involved in supporting the state-building process in BiH.

At the end of the war, Bosnia was politically and economically divided, and the political economy of the war affected the post-war transition as well. Broadly following the territorial gains made by the different factions during the war, the new Constitution (adopted as Annex IV of the Dayton Peace Agreement) recognised two entities constituting BiH: the Bosnian Serb Republika Srpska (RS) and the Bosniak-Croat Federation of Bosnia and Herzegovina (FBiH). A small central government and a tripartite presidency would guarantee the unity of the country and take on key functions in the military, monetary and foreign policy sector (OHR 1995). From an economic point of view, not only was Bosnia cut off from the Yugoslav market of which it had been part, but the territorial divisions fragmented domestic markets and deeply affected the country's chances of recovery. The country's population shrank¹⁰ because of war casualties and refugee flows, and a large part of the population suffered from some form of material loss (Valiñas, Parmentier and Weitekamp 2009: 19). The international community was not always able to devise appropriate responses to the situation on the ground. For instance, when a large market for trafficked goods (including human beings) sprung up in the outskirts of Brčko and boosted the economy of the region, international organisations supported it based on preconceived assumptions about the role of free market exchange in restoring good interethnic relations (Haynes 2010). While Fikret Abdić was eventually convicted (for war crimes), many other individuals who enriched themselves through the war were

¹⁰ Bosnia has today almost 500.000 inhabitants less than in 1991. See *Census of Population, Households and Dwellings in Bosnia and Herzegovina, 2013, Final Results*, Agencija Za Statistiku Bosne i Hercegovine, Sarajevo, June 2016, available at <<http://www.popis2013.ba/popis2013/doc/Popis2013prvoIzdanje.pdf>>, accessed 29 November 2016.

able to continue with more or less legitimate businesses in its aftermath.¹¹ Pugh and Cooper conclude that post-conflict intervention ‘failed to counter the economic interests of these entrepreneurs in maintaining a weak, fragmental state’, and neoliberal policies further contributed to this (Pugh and Cooper 2004, 145).

The dissolution of Yugoslavia and the Bosnian War thus had important economic dimensions that are less often placed at the centre of peacebuilding and transitional justice studies. The economic dimension of war and its implications for the post-war transition clearly show that the Bosnian case is very relevant for the study of the socioeconomic dimension of transitional justice, which represents the focus of this thesis. While this section has only provided a background of the case, the political-economic aspects of the transition, in the form of socioeconomic transitional justice measures and post-socialist reforms, are also crucial for understanding the development of justice claims in Bosnia, and are therefore analysed more in depth in Chapter 3. This Introduction now turns to defining the scope of this thesis, its intended contributions and chapter layout.

Scope and aims of the research

The research design of the thesis will be presented in more detail in Chapter 1 and 2, which include the review of the literature, theoretical framework and methodology of the project. At this point, after presenting the research question and case background, it is however necessary to distinguish between what the thesis is trying to achieve and what it is not. First, the aim of the thesis is to challenge established assumptions on the meaning of justice in transitional societies. In particular, it points towards the importance of socioeconomic issues that have been marginalised but are potentially very relevant to the case of Bosnia and Herzegovina. This critical approach informs the investigation of experiences of socioeconomic injustice and justice claims conducted in the empirical chapters of the thesis. While engaging with themes and questions that belong in transitional justice field, the research also pushes its boundaries in new directions, by bringing to the surface the connections between

¹¹ After being released, Abdić restarted his political career and was recently elected mayor of Velika Kladuša.

transitional justice and other concomitant processes that shape it, such as the transition from socialism to market economy. At the grassroots level, which is the vantage point of this thesis, such processes become inevitably entangled, and therefore the analytical separation between them remains useful insofar as it does not prevent us from investigating how they are actually interconnected in practice. What this thesis does not do, however, is questioning the importance of other transitional justice endeavours, such as establishing individual criminal accountability for violations of IHL (International Humanitarian Law), processes of truth-finding, and so on. The case made here for the relevance of socioeconomic justice is not meant to diminish the importance of dealing with war crimes, crimes against humanity, or genocide. In fact, the thesis shows that these matter also within the context of socioeconomic injustice in Prijedor and Zenica.

The second clarification to be made here is that the political economy of the post-war and post-socialist transition is analysed from the perspective of justice processes, and thus according to the purpose of the thesis. In presenting the limitations of the liberal transitional project, and the ways in which they affect marginalised social groups (workers, civic protesters unaffiliated with the organised civil society sector) that are usually excluded from the formal processes of dealing with the past, the following chapters do not directly take issue with the effectiveness or appropriateness of specific economic reforms. What emerges clearly, though, and falls within the remit of this project, is that the international community's approach to socioeconomic issues was – from a justice perspective – limited. While a discussion of the origins or specific features of the international community's neoliberal approach is beyond the scope of this research, the thesis is still able to show the (often harmful) implications that post-socialist reforms had for the justice claims emerging from local communities in Prijedor and Zenica.

Lastly, from a methodological point of view, the scope of the thesis is defined by the question of how we can study justice processes that occur at the margins of official ones, below the surface. As a result, the thesis moves away from studying how recognised and established actors deal with post-war justice issues, turning instead towards subordinated, marginalised groups. It is with this goal in mind that research locations and target groups were selected. The thesis' central argument regarding the role of socioeconomic justice is thus illustrated with reference to the

cities of Prijedor and Zenica (rather than more thoroughly researched areas like Sarajevo). In order to research how war experience and post-war transition shape the development of justice claims, the thesis thus focuses on one location where interethnic violence was a prominent feature of the conflict (Prijedor) and one where it was not (Zenica). The choice of research participants in the two cities also follows similar criteria, privileging social groups who are not usually part of research projects on transitional justice, such as former workers, and people who are not affiliated with victims' associations or civil society.¹²

This research aspires to show that the study of post-war justice processes requires a more multi-faceted approach, and that the conception of justice promoted by international actors in post-conflict contexts cannot be taken as definitive. Through a critical theoretical framework that interrogates the boundaries of justice as a concept and as a practice, this study intends to demonstrate the relevance of socioeconomic justice in Bosnia and Herzegovina. An in-depth study was considered more suitable to an emerging field where empirical material is still scarce, and theories are still being built or refined. Lastly, the thesis extends an invitation to apply a similar approach to studying justice issues in other settings, to understand how different aspects of justice have been emphasised as a result of the political conditions of the transition, and it suggests where we should look in order to uncover the more hidden dimensions of justice processes in those contexts.

Contributions of the thesis

This work contributes to ongoing debates within the literature on the socioeconomic dimension of transitional justice processes. Socioeconomic justice within transitional justice has been understood, broadly speaking, in two ways. On the one hand, it has been defined as a type of remedy offered for violations or crimes that are not necessarily socioeconomic in nature. Reparation programmes are an example of this understanding (Posner and Vermeule 2003; de Greiff 2006). On the other hand, scholars have recently started questioning how transitional justice can address

¹² Interviews were also conducted in the Bosnian capital, Sarajevo, with international officials and activists, and in other towns around Bosnia where the 2014 protest movement was active. See Chapter 2 for a more comprehensive explanation of the research design.

socioeconomic violence, or if it should at all (Arbour 2007; Waldorf 2012; Sharp 2014). I suggest that the current debate fails to adequately conceptualise the relationship between socioeconomic justice and transitional justice. First, my work reinterprets Nancy Fraser's arguments about the nature of justice claims (1995, 2003, 2009) within the context of post-war, transitional societies. Justice claims emerging in these contexts are characterised by the peculiar role played by the war in producing injustice, as well as by the amplified international influence on the process of adjudicating justice claims. Second, it addresses the relationship between different dimensions of justice processes by redefining justice as a contested concept and practice. From the perspective of local communities experiencing injustice, cultural, socioeconomic and political dimensions intersect and overlap. Moreover, post-war justice processes involve struggles related to who is the bearer of justice claims, and how these claims are put forward in processes of public deliberation.

One of the problematic aspects of the transitional justice literature on socioeconomic justice is that there is a lack of empirical studies on the role of socioeconomic violence in war, and how this affects the development of justice claims in the aftermath of the conflict. With the development of transitional justice into a successful field of practice, scholars have increasingly focused on the way in which transitional justice mechanisms reflect and put into play international norms of accountability and/or ideas of reconciliation. My study of the development of socioeconomic justice claims in Bosnia and Herzegovina shows that justice claims can develop outside of such a paradigm, coexist or contrast with it. The research shows that socioeconomic injustice occupied a central place in wartime experiences of local communities, and that it deeply influenced the type of justice claims emerging from the local level in the aftermath of the conflict. It also emphasises that groups putting forward justice claims can be defined on a socioeconomic basis in addition to the commonly used ethnic one. Their claims are also more comprehensive than what the transitional justice framework would expect. The research contributes to showing the ambivalent effects of internationally-sponsored justice discourses and various types of reforms have on local conceptions of justice. While based on wartime experiences and memories of the past, the development of socioeconomic justice claims is affected by the way in which the international intervention operates in a specific local context. Feeding into social mobilisation, these justice claims can represent a transformative

attempt at challenging the way in which the transition process was conducted. The lens through which we view and analyse experiences of injustice and conceptions of justice matters. While my empirical findings are specific to Bosnia, the importance of adopting a socioeconomic justice perspective when studying justice processes can be extended to other post-war and post-authoritarian contexts.

Thirdly, my thesis contributes to the analysis of the practice of international interventions in post-war societies. The critical peacebuilding and transitional justice literature has already identified a 'nexus' between these different but interrelated aspects of post-war intervention. My thesis takes a slightly different perspective, and shows that the analysis of transitional justice within the context of political and economic reforms aimed at completing Bosnia's transition towards a market economy is also essential for understanding the importance of socioeconomic justice and injustice. While on the one hand transitional justice is thought to be supportive to the process of democratisation and liberalisation, the thesis shows that it also operates within the constraints imposed by such policies. Neoliberal economic reforms effectively aimed at tackling socioeconomic problems deriving from experiences of injustice, but do so by following market logics rather than justice principles. This reinforces a limited understanding of justice claims on the part of international actors, and marginalises or aggravates the concerns of affected local communities. One of the implications of my work is thus that the study of justice processes and transitional justice mechanisms, especially when in relation to socioeconomic issues, cannot be conducted in isolation from the political and economic reforms implemented in the country, often with the support of international organisations and financial institutions.

Thesis outline

The thesis begins with a review of the literature. Chapter 1 addresses the state of academic debates on the socioeconomic dimension of transitional justice, and points at two fundamental weaknesses: the underlying definitional confusion on the topic, and insufficient empirical studies on how socioeconomic violence manifests itself at times of conflict and on how post-war societies deal with it. While studies on the socioeconomic dimension of transitional justice are thus scarce, they have also not

engaged with post-war justice issues in the former Yugoslavia, and Bosnia and Herzegovina in particular. This chapter also looks into the contribution of scholarly studies of post-war Bosnia in the field of transitional justice, peacebuilding and post-conflict reform and reconstruction, and their limitations. The study of socioeconomic justice calls for integrating research approaches and findings from the field transitional justice, peacebuilding and reconstruction, and post-socialist transitions to democracy and market economy. It is argued here that conducting research on socioeconomic justice requires establishing a common thread between these separate traditions and approaches, one that highlights the interconnections of the different facets of the international intervention in transitional countries. Chapter 1 thus sets the basis for both the theoretical contribution of the thesis, which will develop a more systematic approach for considering socioeconomic justice within transitional justice, and for the forthcoming empirical discussion that addresses the lack of studies on experiences of socioeconomic injustice and conceptions of justice developing from the bottom up.

Building on this, Chapter 2 elaborates the theoretical framework of the thesis. Drawing on the contribution of critical scholars that have challenged the conventional aims of transitional justice (Lambourne 2009, 2014; Sharp 2014), and on Nancy Fraser's work on the nature of justice claims (1995, 2003), I define socioeconomic justice as redistribution. This conceptual framework questions established understandings of transitional justice and encourages the analysis of justice processes from the perspective of the communities that take part in them. This conceptualisation of socioeconomic justice as redistribution also engages with the constraints or challenges posed by the 'post-socialist' and 'post-war' context of Bosnia and Herzegovina, and the tension between backward-looking politics of dealing with the past and the forward-looking dimension of redistributive justice. Chapter 2 also puts emphasis on the fact that justice is a contested concept, where different dimensions overlap, and a practice that involves struggles in democratic processes of deliberation. In the case of Bosnia, these are affected by the intervention of international actors that play an important role in the process of adjudicating justice claims and establishing the meaning of post-conflict justice. In sum, the first part of Chapter 2 develops the theoretical contribution of the thesis in full – which is then articulated through the empirical chapters – in rethinking the relationship between

socioeconomic justice and transitional justice and the emergence of socioeconomic justice claims within the context of transition and international intervention.

The second part of this chapter outlines the research design, beginning with the methodological approach adopted in the study. The case analysed in this thesis contributes to our understanding of transitional justice processes by providing in-depth insights into post-war societies deal with socioeconomic injustice, and linking these observations to the external forces shaping them. Chapter 2 defines the methodological approach of the thesis, the selection of research locations, interviewees, and methods of data collection and analysis. The study of socioeconomic injustice and development of justice claims is conducted in two Bosnian cities: Prijedor and Zenica. Despite having a common industrial background and history of development during socialist times, the two cities went through very different experiences during the war. Prijedor came under Bosnian Serb control in 1992, and a campaign of ethnic cleansing followed which led most Muslims and Croats to flee the town. Zenica remained under Bosniak control, and did not experience systematic crimes against civilians to the same extent. Prijedor remained part of Republika Srpska, while Zenica is today part of the FBiH. Comparing these two cities provides a unique opportunity to understand how, in varying circumstances, Bosnian people experienced socioeconomic violence and injustice. The thesis relies on interviews conducted with people in Prijedor and Zenica, as well in other parts of Bosnia to study mobilisation around socioeconomic issues, and in Sarajevo to gather the views of international officials working in the country.

The empirical chapters follow this introductory part of the dissertation. Before going into the detailed analysis of local experiences and conceptions of justice, Chapter 3 discusses how transitional justice and socioeconomic reform address (or fail to address) socioeconomic justice issues in Bosnia and Herzegovina. On the one hand, international officials understand justice issues as mostly linked to the prosecution of war crimes and establishment of the rule of law. When socioeconomic issues are addressed by transitional justice programmes, this is mostly in relation to providing economic remedies to victims, either in the form of restitution or reparation. In addition to having a narrow focus, Chapter 3 shows that these measures are applied in an inconsistent and incomplete manner that curbs their transformative potential. On the other hand, neoliberal economic reforms set out to

address some of the most serious socioeconomic problems that affected the Bosnian society after the war, but did so based on economic logics rather than justice considerations, thus contributing to marginalising socioeconomic justice concerns. This contributes to showing how the analysis of justice processes cannot overlook the role that international policies play in affecting social and economic conditions in post-war societies, and thus how transitional justice forms part and is shaped by other aspects of the international intervention that are not often put in relation with it by the literature, such as economic restructuring.

Chapter 4 provides empirical evidence on how common experiences of socioeconomic injustice were in Prijedor and Zenica during the war, and how these spilled over into the transition period as well. Socioeconomic injustice varies from extreme material deprivation, to unjust dismissal from work, and social marginalization and exclusion. While sharing many features, experiences of socioeconomic injustice in the two cities differ to some extent, based on the different wartime experiences they went through. In Prijedor socioeconomic injustice overlapped with cultural injustice in the form of ethnically-based violence. Interethnic violence is much less central to the experiences of injustice narrated by citizens of Zenica, which revolve around the decline of the city as an industrial centre, and the great loss of identity and means of survival that came with it. Chapter 4 thus represents the first building block of the empirical contribution of this thesis to the literature on the socioeconomic dimension of transitional justice, by illustrating its relevance in the Bosnian case through an in-depth analysis of these two cities. The chapter not only shows the overlap between interethnic violence and socioeconomic injustice, but it also identifies instances in which second-order issues of political representation also become part of justice claims emerging from local communities.

Chapter 5 proceeds by showing how justice claims are formulated based on the experiences of socioeconomic injustice discussed in Chapter 4, but also in relation to the context of the international intervention, especially in the field of transitional justice and socioeconomic reform. Conceptions of socioeconomic justice also draw on memories of the socialist past, which is often considered the standard for a just society, at least in economic terms. In both Prijedor and Zenica, this leads respondents to focus on issues such as employment and access to welfare, but also – and signaling again an overlap between recognition, redistribution and representation – the

position of non-Serbs citizens in Republika Srpska, and the accountability of ArcelorMittal for air pollution in Zenica. Differences between the two cities appear again as in the previous chapter, in relation to the justice claims put forward by interviewees. The transitional justice narrative focused on recognition offers partial acknowledgment of experiences of injustice suffered by non-Serbs in Prijedor, but not in Zenica. Interviewees in Zenica experience the international intervention more in terms of economic reform that has brought further damage to their city, and thus propose transformative and forward-looking remedies for injustice that challenge the way in which the transition process was conducted. In Prijedor, on the other hand, there is a stronger tendency towards present-oriented remedies that address the consequences of injustice without necessarily challenging the underlying system that produced the injustice in the first place. Through this analysis of the way in which socioeconomic justice claims, and remedies for injustice, are conceptualised at the local level, Chapter 5 further contributes to illustrating the central place that socioeconomic justice occupies in post-war societies, and to our conceptual understanding of the relationship between socioeconomic justice and transitional justice.

The thesis concludes with an analysis of the role that socioeconomic justice claims can play in social mobilisation. Looking at the case of the 2014 protests, Chapter 6 traces the origins of the claims made by protesters back to the forms of socioeconomic injustice analysed in Chapter 4, and puts these in connection with the conceptions of justice expressed by interviewees in Chapter 5. Drawing from the work of activists from the progressive left, and from the civic mobilisations that occurred in different parts of Bosnia over the past years, the 2014 mobilisation grew out of workers' frustration in Tuzla and quickly broadened in participation and scope. Socioeconomic issues were linked with broader political problems, once again showing the overlap between different types of justice claims. The protesters adopted a transformative approach to the justice claims raised, broadening citizens' participation through the use of open assemblies (plenum), which contrasted with the perceived closure of formal avenues of political participation within the Dayton system. Even when faced with such a powerful articulation of socioeconomic grievances, the international community did not engage with these as justice claims. Rather, Chapter 6 shows how these were interpreted as problems to be tackled

through socioeconomic reforms that would complete Bosnia's transition to a market economy. This chapter completes the empirical study carried out in this thesis, as well as providing further illustration of the multidimensional nature of justice claims in post-war and transitional societies. Ultimately, it shows that post-war justice processes develop through contestation and mobilization rather than simply as a result of the normative drive of transitional justice ideals.

CHAPTER 1

A TALE OF TWO COUNTRIES? POST-WAR AND POST-SOCIALIST TRANSITION IN BOSNIA AND HERZEGOVINA

This chapter's aim is to outline the role of existing literature and debates in advancing our understanding of socioeconomic justice, transitional justice, and of the case of Bosnia and Herzegovina, and identify the ways in which this thesis can originally contribute to these. Given the thesis' focus on the role of socioeconomic justice and injustice in war and transition in the Bosnian case, Chapter 1 addresses the following questions: what is the state of academic debates on the socioeconomic dimension of transitional justice? What can scholarly studies of post-war Bosnia, in the field of transitional justice, peacebuilding and post-conflict reform and reconstruction contribute to this project, and what are their limitations? The overarching argument that is proposed is here is that recent debates on socioeconomic justice and transitional justice are in need of further theoretical and empirical development, and that they have not engaged with post-war justice issues in the former Yugoslavia and Bosnia and Herzegovina in particular.

Transitional justice debates on socioeconomic issues are not necessarily new. Reparations and restitution are commonly included within programmes that deal with the consequences of violence and in war or under authoritarian regimes (see for instance the definitions provided by Elster 2004, 1; ICTJ 2009; Hayner 2011, 8). More recently, however, and especially after the intervention of former ICTY and ICTR prosecutor Louise Arbour (2007), scholars have been discussing the importance of remedying to socioeconomic violence or injustice. Her remarks signalled a critical shift in the debate and gave prominence to the question of how social and economic justice for societies in transitions could be effectively conceptualised and achieved. The review of the literature presented over the coming pages shows that there is still little agreement on this matter, and that further conceptual work is needed to define what socioeconomic justice as part of the transitional justice paradigm might mean

or entail. Moreover, empirical studies on the relevance of socioeconomic violence in post-conflict and post-authoritarian contexts are still in short supply, and tend not to engage with the case of Bosnia and Herzegovina (or the former Yugoslav region, more broadly). This chapter also shows, however, that studies on transitional justice, peacebuilding and reconstruction processes in Bosnia and Herzegovina are not lacking, and their contribution to setting the basis for this project must be recognised.

This literature review thus identifies two major trajectories in the scholarship focusing on Bosnia and Herzegovina which are relevant for this project. On one hand, the end of the war in 1995 raised pressing questions regarding justice and accountability. Bosnia was thus in transition from a period of war characterised by widespread violence to one of peace, which was enforced by the international community. On the other hand, with the dissolution of Yugoslavia and the following conflicts Bosnia ceased to be part of a socialist federation and was on its way to becoming a liberal democracy embracing market economy. Compared to Eastern European countries, however, it faced the additional challenge of peacebuilding and post-war reconstruction. Issues regarding economic and welfare reform came to the forefront, bearing important consequences for a population already badly affected by the war. This chapter argues that academic scholarship, with some exceptions, has mostly kept separated the analysis of post-war Bosnia from that of post-socialist Bosnia, with the former receiving more attention than the latter. In other words, the consequences of the war and post-war justice issues are analytically separated from the process of institutional and economic reform which normally characterises transitions from socialism to market democracy. This artificial separation conceals the connections between different forms of intervention that characterised the Bosnian scenario, ranging from transitional justice, to peacebuilding and reconstruction and post-socialist reforms. Connecting the study of post-war justice issues to other aspects of the transition, such as post-socialist reform, is crucial for the study of socioeconomic justice, as the following chapters will illustrate.

Chapter 1 is structured as follows. After a short introduction to the concept of transitional justice and the way in which it has evolved over the past decades, Section 1.1 addresses the debates on the socioeconomic dimension of transitional justice. It outlines the disagreements over its definition, and different positions over whether socioeconomic justice should be part of transitional justice at all. Scholars have also

put forward different proposals as to how socioeconomic justice could be included in transitional justice programmes, but this has rarely been done with reference to empirical studies on specific local conditions. Leaving open the question of how can we best conceptualise socioeconomic justice and its relationship to transitional justice, the chapter then moves on to discussing scholarly studies post-war Bosnia. Section 1.2 discusses the transitional justice literature, which offers important insights into the complexities of the relationship between an invasive international intervention and local actors. The review also shows that there is little overlap or interaction between this body of scholarship and the processes of social and economic transformation that are crucial for this project.¹ Section 1.3 then opens with a brief note on the study of post-socialist transitions in Eastern Europe. In Bosnia and Herzegovina, however, this transition started before the war, and occurred in conjunction with the conflict itself and the ensuing post-conflict reconstruction, often linked to peacebuilding projects. This section reviews the contributions of these studies to understanding the political economy of post-war Bosnia, while also highlighting its limitations in engaging with post-war justice issues. The chapter concludes by restating the need for a better conceptualisation of socioeconomic justice and its relationship to transitional justice, and calling for addressing the notable absence of studies on socioeconomic justice in post-war Bosnia.

1.1 Transitional justice and its socioeconomic dimension

The field of transitional justice is primarily concerned with the problem of justice in transitional contexts, and more specifically how societies deal with the consequences of mass violence in the aftermath of war or after the fall of authoritarian, repressive regimes. One of its most common definitions describes transitional justice as ‘the conception of justice associated with periods of political change, characterized by legal responses to confront the wrongdoings of repressive predecessor regimes’ (Teitel 2003, 69). Here Teitel does not identify a specific meaning for the term ‘justice’, as she argues that its specific historical manifestations have been influenced by

¹ Although some studies have begun taking post-socialism and its relation to the war and post-war transition more seriously, see for instance Horvat and Štikš (2015).

political circumstances and in turn have been constitutive of the political transition itself (Teitel 2000, 6). Her definition, however, does put emphasis on the judicial dimension of this process, reflecting the way in which transitional justice practice has developed over time. Other definitions have contributed to delimiting the boundaries of this practice. They generally emphasise that political transitions are characterised by various attempts to deal with crimes committed by previous regimes or during wars (Roht-Arriaza 2006, 2; Elster 2004, 1), not exclusively through legal means. Transitional justice can thus be seen as a 'set of practices' or as a process composed of different elements, where the work of judicial mechanisms needs to be complemented by lustration processes, commissions, transparency policies, reparations, memorials to the victims and different types of reform (Hayner 2011, 8). Transitional justice most often refers to state policies adopted to address past crimes, but non-official institutions and initiatives coming from the civil society sector have also been included within the remit of this concept (Barahona De Brito et al. 2006).

It has been convincingly argued that the specific conditions of the political transitions can influence the choice of transitional justice mechanism, and these have evolved over time (Teitel 2003). While scholars have diverging opinions as to the origins of transitional justice efforts,² the most contemporary cases often identified are the transitions in Southern Europe in the 1970s-1980s (Greece, Portugal and Spain), Latin America in the 1980s-1990s (Argentina, Chile, Paraguay, Bolivia and Central American countries), Eastern Europe at the end of the Cold War, and South Africa in the 1990s. Especially in earlier phases, transition was meant to characterise the process of evolving from a dictatorial/authoritarian to a democratic regime, in specific geographic settings such as South America (Kritz 1995; Teitel 2000; Barahona De Brito et al. 2006; Lessa 2013), and provide legitimacy to the new political systems (Teitel 2003, 89). With the end of the Cold War and the emergence of civil wars in the former Yugoslavia, as well as Central and West Africa, transitional justice has become increasingly associated with legalism, and linked to peacebuilding interventions informed by liberal assumptions. McEvoy (2009, 20-21) argues that legalism is often

² Different attempts at tracing the origins of the practice of transitional justice have set the post-Second World War Tribunals of Nuremberg and Tokyo as the first expression of transitional justice (Orentlicher 1991; Teitel 2003). Elster (2004) traces its origins back to ancient Athens.

seen as an attractive option during transition because it represents objectivity and certainty in times of change, and because it anchors state practices to universal human rights norms.

It is indeed through judicial institutions that transitional justice has extended its reach globally over the past few decades, and has become increasingly associated with post-conflict contexts and peacebuilding initiatives, compared to the earlier transitions from authoritarian rule in South America and South Africa.³ The mandate of the International Criminal Court (ICC) is perhaps the clearest example of institutionalisation of transitional justice, covering genocide, crimes against humanity and war crimes (Schabas 2011; Bosco 2014). While its existence makes potentially unnecessary any effort towards the creation of special international tribunals such as the ICTY and the International Criminal Tribunal for Rwanda (ICTR), the International Criminal Court still suffers from lack of legitimacy and resources, and by the threatened withdrawal of several of its members. Following repeated calls for the local ownership of transitional justice processes, domestic judiciaries have become more involved in trials for human rights violations. In the case of the Balkans, following an initial phase in which the ICTY was leading the process, the international community engaged in an effective capacity- and institution-building project aimed at localising a large part of war crimes prosecutions.⁴ National courts in Bosnia, as well Croatia and Serbia, are now engaged in a number of war crimes trials which are possibly more likely to convey a sense of justice to the population. Some national courts have become involuntarily involved in transitional justice cases. This is the case of the Dutch courts to which Srebrenica survivors have turned in order to get compensation for the mistakes of the international community, personified by the Dutch battalion based in Srebrenica in July 1995 (Nettelfield 2010), or the use of US Courts to file claims for reparations under the Alien Tort Claims Act against Radovan Karadžić (de Vlaming and Clark 2014, 167), and cases in other European courts (Ibid. 170-173). In addition, after Bosnia tried – unsuccessfully – to sustain a case against Serbian authorities’ complicity in the

³ Indeed, McEvoy has characterised the development of transitional justice (as a field of study and as a practice) as occurring at the crossroads of ‘democratization, human rights protections, and state-reconstruction after conflict’ (McEvoy 2007, 412).

⁴ This include the establishment of the hybrid (Bosnian and international) War Crimes Chamber in the newly created State Court of Bosnia and Herzegovina.

genocide committed in Srebrenica at the International Court of Justice (ICJ) (SáCouto 2007), Croatia and Serbia have made similar attempts, which were also rejected.⁵

Many of the critiques of the liberal assumptions of transitional justice consider legalism to be part of the problem, as judicial mechanisms are most often imposed from the top-down, initiated by Western actors and populated by Western experts (Sriram 2007, 589). Andrieu (2010, 554) argues that legalistic approaches have detached transitional justice from local communities, creating a 'deep disjunction' between legal justice and 'justice that is embedded in communities'. As Nagy (2008, 277) points out with respect to Teitel's arguments, transitional justice is explicitly concerned with 'bringing "illiberal" regimes into the fold of liberal democracy', and 'treats established democracies as benevolent models'. There is also a concern, among some critical scholars, that the implications of the inherently assumed desirability of the liberal model have not been sufficiently explored (see Franzki and Olarte 2014, 203-204). Judicial mechanisms have indeed characterised the transitional justice approach taken by the international community in Bosnia. The way in which the choice of these mechanisms might reflect liberal priorities is important in order to understand the possible reasons behind the marginalisation of socioeconomic justice, whose scope could potentially go beyond establishing democratic regimes that are politically and economically liberal. Without intending to diminish the importance of establishing individual accountability for violations of IHL, the thesis focuses instead on some of the debates that developed precisely from the growing awareness of the limitations of an approach to dealing with the past that relies too heavily on judicial mechanisms.

1.1.1 The challenge of defining socioeconomic justice for societies in transition

The debate on the socioeconomic dimension of transitional justice developed from the growing awareness that an approach too focused on criminal justice could not deal with the whole universe of consequences of mass crimes. Recent scholarly work has thus shifted the focus from an exclusive preoccupation with serious violations of

⁵ These attempts are illustrative of the increasing reach of transitional justice principles, but even more of their politicised use.

civil and political rights to directly addressing socioeconomic rights and violence. As noted by Hecht and Michalowski, work is still in progress, as 'concepts that are relevant for this relatively new research area need to be explored and boundaries to be drawn' (2012, 1). The debate is thus at an early stage, and scholars have mostly been answering questions concerning how to define socioeconomic justice, what is its place within the transitional justice paradigm and which mechanisms could best promote socioeconomic justice goals. This development is welcome, but - as the following review shows - much of this discussion is indeed taking place at the theoretical level, and empirical research is still under development. This section advances the debate on socioeconomic justice by attempting to provide an organising principle to the unstructured debate on socioeconomic justice, and clarify where more theoretical work is needed. This is followed by a review of some of the claims advanced by the literature which would benefit from further empirical investigation in different transitional contexts.

A first group of authors defines socioeconomic justice in terms of the remedy proposed for the crime, that is, economic or material compensation for a certain crime or injustice that was not necessarily economic. This is the traditional understanding underpinning the practice of reparations, defined as 'compensation, usually of a material kind and often specifically monetary, for some past wrong' (Torpey 2003, 3), commonly with the aim of recognising the harm suffered, and promoting civic trust and solidarity (de Greiff 2006). According to this perspective, the remedy provided is economic, while the crime or violation committed not necessarily is. Reparations have been provided for crimes that were not primarily economic, such as the Holocaust or the internment of Japanese Americans during the Second World War, as well as for economic crimes including, for instance, the expropriation of private property by communist regimes in Eastern Europe. Pablo de Greiff analyses the conceptual relationship between justice and reparations in his contribution to the edited Handbook of Reparations, which also includes a number of case studies on reparation programmes (de Greiff 2006). According to de Greiff, reparations can be understood in two fundamentally different ways. In a legal sense, reparations are 'measures that may be employed to redress the various types of harms that victims may have suffered as a consequence of certain crimes' (de Greiff 2006, 452). However, this type of approach to reparations is only possible when the deviation from legal

norms is exceptional. When violations of human rights occur on a large scale, reparations cannot be awarded to individuals through the judicial system. In those instances, reparations may refer to a 'massive' programme set to 'provide benefits directly to the victims of certain crimes' (Ibid., 453).

Also writing about reparations, Posner and Vermeule (2003, 691) restrict their definition to programmes that 'provide payment (in cash or in kind) to a large group of claimants' when legal redress for the violations suffered is not available. Thus, their study mostly analyses reparations paid by governments (Ibid., 696-697). A further element characterising the authors' definition of reparations is that these schemes are 'justified on the basis of backward-looking reasons', thus providing compensation for past crimes rather than forward-looking, distributive justice aimed at the future welfare of the population (Posner and Vermeule 2003, 692). In this sense, reparations 'stand poised, uneasily, between ordinary remedies and large-scale transfer programs' (Ibid., 693). This stance contrasts starkly with the view of authors like Torpey (2001, 2003), whose work analyses current trends in reparation politics. Noting their increasing relevance over the years, he identifies three types of sources for reparation claims: the Second World War, transitions from authoritarian rule, and anticolonial movements (Torpey 2001, 335-336). Demands for reparations are then classified in two types. The first type responds to past victimization for which the claimants are still suffering today, for instance on a psychological level. The second type of demands derives from the consequences of a past system of domination whose effects continue to disadvantage the groups that were suffering from it (Torpey 2001, 337). Contrary to Posner and Vermeule's definition, Torpey sees this type of claims as fundamentally forward-looking, as reparations are 'a means of transforming the current conditions of deprivation suffered by the groups in question and are more frequently connected to projects of social transformation than commemorative projects' (Torpey 2001, 337). One aspect that, nonetheless, Torpey's work shares with Posner and Vermeule is the definition of the socioeconomic aspect of transitional justice primarily in terms of the remedy proposed (reparations), while the crimes committed include different types of violations, including – but not limited to – economic crimes.

Reparations are also considered a key part of peacebuilding processes (Firchow and Mac Ginty 2013), especially those including a transitional justice

component. The increased emphasis placed on their transformative or 'emancipatory' potential (Brett and Malagon 2013) should not, moreover, conceal their equally important symbolic meaning (Brown 2013). These recent studies are representative of a renewed concern for transformative approaches to justice, such as that advocated by Lambourne (2009, 2014). Her 'transformative justice model', situated within the peacebuilding paradigm, blends elements of retributive and restorative justice (Lambourne 2014, 21-22). In Lambourne's definition, socioeconomic justice 'incorporates the various elements of justice that relate to financial or other material compensation, restitution or reparation for past violations or crimes (historical justice) and distributive or socioeconomic justice in the future (prospective justice)' (Lambourne 2014, 28-29).

At the other end of the spectrum, scholars have defined in greater detail the socioeconomic nature of violations and crimes committed, and discussed their potential inclusion within transitional justice processes. This does not necessarily divert the focus away from discussing economic remedies, but identifies a different perspective from which the relationship between socioeconomic justice and transitional justice can be defined. The need to define the socioeconomic aspect of injustice originates from the relevance of the 'still largely undefined economic and social dimensions of conflict and repression' (Hecht and Michalowski 2012, 1). Authors in this tradition commonly complain that violations of socioeconomic rights have taken second place in post-conflict justice efforts, despite their relevance for the populations affected.

Even within this group, views diverge substantially. Some authors argue for focusing on established socioeconomic rights (Arbour 2007, Szoke-Burke 2015) or on 'subsistence harms' (Sankey 2014). Subsistence harms are defined as 'deprivations of the physical, mental and social needs of human subsistence, perpetrated against individuals or populations in situations of armed conflict or as an act of political repression, where the perpetrator acts with intent or with knowledge of the inevitable consequences of such deprivations' (Sankey 2014, 122). This legalistic focus and narrow definition would allow courts to adjudicate cases related to the most serious violations of socioeconomic rights, 'since the cause effect relationship between the perpetration of the deprivation and the experience of the harm is much stronger' (Sankey 2014, 129). Arbour, focusing on the relevance of socioeconomic rights

violations during conflict, argues that transitional justice's neglect of socioeconomic rights is due to the widespread belief that civil and political rights are sufficient to provide the basis of an equitable society, and that socioeconomic rights will naturally develop through economic and social growth (Arbour 2007, 10).

Other authors propose a more systemic approach to socioeconomic violence and injustice (Mullen 2015; Evans 2016). As Sharp (2014, 5) points out, economic violence includes, but goes beyond, violations of social and economic rights. Still within this group, Laplante develops a continuum highlighting the different justice aims of reparations, ranging from the compensation for the violation of a right to the remedying of 'historical social and economic inequalities' (Laplante 2014, 66-70), which constitutes socioeconomic justice. Laplante is thus adopting a structural definition of socioeconomic justice which can clearly be distinguished from Sankey's narrow understanding of subsistence harms, and from Arbour's focus on identifiable socioeconomic rights. Miller (2008, 267-268) also suggests that economic issues are often downplayed as root causes of conflicts despite their relevance, and stresses how the transition process itself – often characterised by economic liberalisation – might exacerbate socioeconomic problems in post-conflict and post-authoritarian societies.

Ultimately, this conceptual confusion over the nature of socioeconomic justice in transitions fuels resistance against the expansion of transitional justice for fear of overstressing it. As Sharp (2012) has noted, scholars express worry over the cost of socioeconomic justice programmes, as well as over the loss of significance potentially arising from trying to expand into the field of development and economic reform (see also Mani 2008 and Roht-Arriaza 2006). While concerns have been raised over whether transitional justice or peacebuilding efforts could (and should) address socioeconomic wrongs (Waldorf 2012; McAuliffe 2014), the expansion of our understanding of violence and – consequently – peace was already advocated by Galtung (1969). The work of Rama Mani (2002) also calls for a more holistic approach to dealing with the past, based on the concept of reparation. From such an inclusive perspective, justice should reach throughout society, including 'neglected economic categories' and 'structural categories', and attempt to re-establish the conditions previous to the conflict (Mani 2008, 522-523). Ultimately, it is only by embracing the challenge of formulating a theoretical approach that challenges dominant

conceptions of the meaning of justice for societies in transition that these concerns could be overcome.

1.1.2 Advancing the debate: the need for empirical research

Regardless of their position in this debate, authors share a concern for the limited space granted to economic violations and remedies in most transitional justice settings. Equally important to definitional issues are thus discussions regarding the consequences of marginalising socioeconomic violence, and how these can be addressed. However, the literature seems to be in need for more empirical research that could help answer these questions, and provide further support for the arguments proposed so far (and briefly reviewed in this section). With respect to the consequences of neglecting socioeconomic injustice, for instance, Chinkin (2009) has argued that this could impair post-conflict security and access to justice, while Waldorf (2012, 175) has warned that this could go against victims' expectations and demands. Following the mixed results of mechanisms developed through a top-down approach in the 1990s, such arguments show that transitional justice scholars have come to realise the importance of involving local communities in transitional justice processes in a more meaningful way.

At the same time, there is still uncertainty as to what mechanisms would be more appropriate for dealing with it. Louise Arbour (2014, 14) proposes that 'truth commissions lend themselves particularly well to the investigation and protection of economic, social, and cultural rights'. Although the article discusses some cases in which socioeconomic justice issues have been discussed by truth commissions, social opinions on the matter are still to be investigated. A similar argument is advanced by Sankey, who claims that '[D]epending on their severity, deprivations of subsistence needs perpetrated recklessly or with negligence could, and should, be addressed by truth commissions as constituting negative violations of human rights' (Sankey 2014, 136). In contrast to Sankey and Arbour, García-Godos (2013) argues for giving victims the political agency necessary to achieve distributive justice. Similarly, Miller (2008) deems traditional transitional justice measures – such as reparations and truth commissions – insufficient for dealing with socioeconomic injustice. Distributive justice policies might therefore be needed in order to address it (Miller 2008, 286).

These works formulate viable suggestions, but are not designed to provide sufficient evidence as to why these approaches to socioeconomic justice might work, or in what circumstances. This thesis also takes into account the contentious nature of justice processes, and the following chapter is thus dedicated to exploring conceptual and political struggles involved in establishing the meaning of justice in transitional societies, as well as the limitations that external forces might pose to achieving socioeconomic justice specifically.

1.2 Expectations not met? Transitional justice studies on Bosnia and Herzegovina

As these debates on the socioeconomic dimension of transitional justice developed, the scholarship on Bosnia continued to be focused on studying the role of more traditional mechanisms, and especially the ICTY. Within a few years of the end of the war, scholars began analysing the political context within which the Tribunal was established. This occurred at the time of the 'peace v. justice' debate, which highlighted the supposed tension between the need to do justice for human rights violations and the threat that strict justice provisions might pose to peace. As Williams and Scharf underline (2002, 29-30), some believe that warring factions can be attracted to the peace table by the guarantee of some form of amnesty, while the prospect of international justice for their crimes might convince them that prolonged fighting gives better chances of success (and impunity). The tension between peace and justice is exemplified by the very nature of transitional justice mechanisms such as tribunals and truth commissions: while trials serve primarily the function of providing justice, truth-telling is more often associated with the aim of appeasing a turbulent society, even with the provision of amnesty (Bloomfield 2006, 17). It has also been argued that mass prosecutions that go on for a long period of time might reopen 'too many old wounds', whereas a certain degree of forgetting and forgiving might be required in order for the society to move on (Pankhurst 1999, 242). Nonetheless, most scholars nowadays recognise that sustainable peace can only be built on the recognition of justice claims. Justice might indeed remove the root causes of conflict and avoid spillover effects to neighbouring countries (Akhavan 1998), and form part of a peace process that includes retributive, restorative and social justice dimensions (see Lambourne 2004). Moreover, as Akhavan (2009) notes with reference

to the Yugoslav case, the main weakness of 'political realist' arguments against international criminal justice is their inability to prove adverse effects on peace-making.

The establishment of the ICTY, ultimately, reflected the balance between accountability principles and the peacebuilding approaches of several international actors involved in the creation of the Tribunal (Williams and Scharf 2002).⁶ This did not, as other authors point out, eliminate problems deriving from the lack of legitimacy and impartiality perceived by part of the population of the former Yugoslav states (Fatić 2000). These early works on the ICTY have highlighted the difficulties of its operations. As the work of Kerr shows, the workings of an international tribunal require a complex interaction of politics and law, which do not apply to national courts. For instance, despite formal obligations upon states coming from UN resolutions, the ICTY lacks enforcement powers to secure the arrest of indictees or access documents, and thus relies on states' willingness to cooperate (Kerr 2004).

The issue of cooperation with the ICTY, and the conditionality policy adopted by international actors to incentivise it, was thus another important subject of study. The first works on this issue were published by Peskin and Boduszynski on Croatia (2003) and Peskin (2008) on the ICTY and ICTR. Rajković's book (2012) is helpful in tracing with great detail the events, international pressures and conditions of Serbia and Croatia's compliance with ICTY orders. Formal obligations notwithstanding, a major role is played here by the EU, which added a specific clause to the Copenhagen Criteria for accession, requiring full cooperation with the Hague Tribunal. However, 'EU war crimes conditionality, by focusing exclusively on cooperation with the ICTY, has failed to facilitate the process of rebuilding the rule of law in the former Yugoslavia and to advance the goals of international justice' (Rangelov 2006, 366). Two remarkable works on the issue of conditionality and cooperation have been published by Lamont (2010) and Subotić (2009). Lamont asks why, under constant

⁶ Transitional justice debates on the creation of international tribunals also reflect broader debates within the field of IR on international institutions. For instance, Bass (2000) contends that beliefs on the universality of certain rights explain liberal states' willingness to create international tribunals, while Moghalu (2006) argues that the establishment international tribunals is favoured by the emergence of an international society with shared values facilitating cooperation among states.

international obligations, the level of cooperation with the ICTY of former Yugoslav countries has varied throughout the years. Entering IR debates between realism, neo-institutionalism, liberalism and constructivism, he favours an explanation based on the combination of rational choice elements (such as the responsiveness to material incentives) and normative change. The Bosnian case is particularly challenging due to its institutional structure, and Lamont recognises that traditional theories are ill suited to the analysis of complex sovereignty configurations (Lamont 2010, 127-131). Subotić discusses the different types of pressure exerted by international actors to secure cooperation. She contests traditional constructivist explanations based on norm change and the role of norm believers, which are often weak and challenged by norm resisters. Thus, analysing the domestic use of norms by elites becomes necessary in order to understand the reasons for cooperation with the ICTY (Subotić 2009, 30-31). The research conducted by these scholars is thus crucial in order to understand the political mechanisms at play in the functioning of international justice, and in transitional justice processes more in general. They showed that even when the ICTY succeeded in securing state cooperation, this was not necessarily the result of normative change, nor the sign of societal reconciliation.

What effects, then, has the Tribunal's work had on Bosnia? The literature has generally presented a gap between the expectations on the part of the Tribunal's local constituencies, and the achievements of the ICTY. Lacking universally accepted criteria, some scholars have relied on the objectives stated in UNSC resolutions 808/1993 and 827/1993 to assess the effectiveness of the ICTY. These include the restoration and maintenance of peace through deterring further war crimes and doing justice for the victims by putting on trial those most responsible for those crimes. Clark (2009, 124, 136) notes that these are not realistic goals to be achieved, and that the ICTY's work should not be considered a failure solely on this basis. While there is indeed a gap between expectations and achievements, it can be argued that the ICTY provided 'some measure of justice, often experienced as flawed, sometimes deeply so' (Orentlicher 2010, 13). Some accomplishments of the ICTY are not necessarily related to the aims states in UN resolutions and to include capacity-building towards the local judiciary (Orentlicher 2010) and the removal of war crimes suspects from the post-war political landscape (Kerr 2005, 326)

Social perceptions of the ICTY have been considered one of the criteria for assessing the ICTY effectiveness. Meernik (2005), for instance, finds little evidence that the level of societal peace in Bosnia has increased – or even significantly changed – as a result of the work of the ICTY. This type of analysis is however limited because it assumes that the effects of the ICTY’s work should be immediately visible, and because media outlets – upon which the study is based – do not necessarily represent diverse social views in an adequate manner. Ivkovic and Hagan (2011) comprehensively address the question of ICTY perceptions through surveys carried out in different locations of the former Yugoslavia, including Sarajevo. According to their findings, the effect of ethnicity in determining support for the ICTY is mediated by the environment or ‘cognitive landscape’. Their results appear similar to the study of Biro et al. (2004), which also underlines that the attitudes toward the ICTY of different groups vary according to both ethnicity and the status of the group in the location where the survey was conducted. Cibelli and Guberek’s 2000 study of the attitudes of Bosnian NGOs towards the ICTY found that local organisations had very little information on the Tribunal, and that many organisations in the Serb entity were wary of its work. When the study was replicated, after the establishment of the Outreach office and when more information was available, it showed an increased acceptance of the Tribunal (Nettelfield 2010). Delpla’s study on victim groups, relying on ethnography and interviews, provides more insight into the complex ways in which local actors perceive the ICTY. According to her, these groups are not fully satisfied with the work of the Tribunal because it does not address the internationals’ responsibility in war crimes and because the establishment of justice in the Hague does not always have positive repercussions at home (Delpla 2007).

These studies are based on the assumption that, keeping in mind the goals of transitional justice initiatives such as the ICTY, it is possible to establish a clear relationship between the actions of the Tribunal and their effects on the ground, at a local level. However, this approach often lacks nuance in depicting local reactions and local agency in transitional justice processes. It is important to acknowledge that transitional justice goals are often themselves contested, and that a mix of reactions and feelings can coexist within the society at any given time. Moreover, acknowledging the limitations of trials in accounting for the extraordinary nature of mass crimes (Drumbl 2005, 540-543; Subotić 2011, 158), can pave the way for

considering the contribution of tribunals to expressivist goals (Drumbl 2007), such as favouring the democratic transition by promoting social mobilisation (Nettelfield 2010). Adopting different methods ranging from surveys to participant observation, Nettelfield's book recognises the agency of local actors, as it looks at the practice and meanings of transitional justice processes on the ground. The literature on Bosnia could thus benefit from an increased dialogue with ethnographic and interdisciplinary approaches that have been applied to the study of human rights and transitional justice practices in other regions of the world.

Lastly, some scholars have further pushed the boundaries of transitional justice scholarship on the Balkans in order to highlight the alternative dimensions of this process. Non-legal institutions have received less attention and support at the international level, but are still very relevant in Bosnia and Herzegovina. A large number of local NGOs dealing with transitional justice were established after the war, and mostly funded through foreign donors. Many Bosnian NGOs have also worked with the United Nations Development Programme (UNDP) on the project of 'Access to Justice: Facing the Past and Building the Confidence for the Future', and drafting a Transitional Justice Strategy for Bosnia that, however, has never been officially adopted.⁷ The prominent role of international organisations is indicative of the growing relevance of transitional justice for peacebuilding initiatives in different regional contexts.⁸ Another notable initiative of the civil society is the Coalition for REKOM (Regional Commission), an attempt to establish a regional truth commission that would discuss crimes committed during the wars in the former Yugoslavia, thus adopting a regional perspective (Bonora 2014; Kostovicova 2016). The group of NGOs involved in the Initiative, whose composition has varied widely over time, has struggled to get the support of governments of former Yugoslav states and thus to actually establish the Commission,⁹ but has provided important opportunities for regional dialogue and collaboration. O'Reilly (2016) has recently studied another grassroots justice initiative, the Women's Court event that took place in Sarajevo in

⁷ The project 'Access to Justice: Facing the Past and Building the Confidence for the Future', began in 2009, was still allocated a budget of \$814,201 in 2013 (UNDP 2013).

⁸ The United Nations has developed a body of knowledge on transitional justice which includes a 'United Nations Approach to Transitional Justice' (UN 2010).

⁹ See the website of the Initiative for REKOM, at <http://www.recom.link/category/institutionalization/>, last accessed 10 December 2016.

May 2015. In terms of institutional reforms, the education sector has been the object of some attention. Noting that reforms in the education system are thought to have a positive impact on reconciliation, Jones (2012) studied the case of the Brčko district. She encourages us to look beyond the 'success' of educational reform in Brčko, which was designed to promote multi-ethnic integration, in order to analyse the way this was experienced and the local practices associated with it. Despite the difficulty of defining reconciliation in socio-political terms, other authors have also asked questions regarding the role of other aspects of transitional justice – beyond trials – in 'reconciliation' processes. Among these, the work of Clark tries to establish a link between different components of the transitional justice paradigm in the case of Bosnia and Herzegovina. Starting from prosecutions (Clark 2009), she subsequently includes the issues of missing persons (2010a), religious actors (2010b) and truth telling (2012a), drawing them all together within a larger 'reconciliation' framework which is not based on teleological beliefs but on the analysis of separate, though interrelated, aspects of transitional justice. However, the reference to reconciliation remains problematic because it relies on the role of psychological phenomena that are difficult to analyse from the perspective of politics and IR studies.

Throughout this section, there has been little mention of economic justice issues. On the one hand, this is due to the predominance of legalistic approaches to transitional justice in Bosnia and Herzegovina, exemplified by the international commitment to the ICTY as one of the catalysts of the democratic transition. On the other hand, scholars have rightfully dedicated time and resources to the study of war crimes trials and their social impact. The lesson to be drawn from these studies is that the role of the international intervention is crucial to understand transitional justice processes in the former Yugoslavia, and that its relationship to local actors is complex and multifaceted. Moreover, some of the studies on the ICTY and other transitional justice initiatives have adopted a bottom-up approach that reflects this thesis' concern for the experiences and justice claims of local communities. Two further issues should be noted here with respect to the limitations of this body of scholarship that this thesis tries to address. First, the transitional justice literature has developed mostly in isolation from the study of the post-socialist transition, and especially the social and economic reforms that characterised it. Second, an original study of experiences of socioeconomic injustice during the Bosnian war, and how this led to the development

of justice claims and social mobilisation is still lacking, and this is what this thesis intends to address.

1.3 Post-socialism and post-war reconstruction: building peace, democracy and a free market

The last substantial section of this chapter addresses the question of what can the study of the Bosnian case from the point of view of the post-socialist transition and economic reconstruction contribute to this project. While the study of post-war justice has been kept substantially isolated from that of social and economic reforms, this section shows that bridging the gap between them is a necessary step for studying socioeconomic justice. Most studies of post-socialist transitions have addressed the cases of Eastern European countries rather than those of the former Yugoslav republics. Eastern Europe came to be considered a classic pool of cases for the literature on political transitions, which tried to assess 'why, how and with what immediate consequences this wave of democratization occurred between 1974 and 1990' (Huntington 1991, xiii; see also Przeworski 1991; Linz and Stepan 1996; Stark and Bruszt 1998). Stark and Bruszt's book (1998, 3) is the only one among these to focus exclusively on this region. It examines the ways in which East Central European countries transformed property rights and politics during the transition from socialism to capitalism. They focus on the cases of Hungary, the Czech Republic, East Germany and Poland, and explain the transition through the concepts of extrication, transformation and deliberative association. What this comparative work shares, though, is that they do not address the post-socialist transition of Yugoslavia. Linz and Stepan explain that this was due to the fact that Yugoslavia was already considered a mid-way model between socialism and democracy (and was fairly independent from Soviet influence), where regional elites in the republics framed their opposition to socialism in nationalist terms rather than with reference to 'liberal democratic values and democratization' (Linz and Stepan 1996, 238-239).

Most obviously, Yugoslavia's transition was marked by violent conflicts. In the specific case of Bosnia, while elections had already been held before the war, its subsequent democratisation was directly led and monitored by the international community. The General Framework Agreement for Peace (GFA), drawn up in

Dayton in November 1995 and signed in Paris the following month, includes the Constitution of Bosnia and Herzegovina as its Annex 4. The GFA specifically provides for the implementation of civilian aspects of the Agreement, including holding free elections, and establishes international oversight over Bosnia's authorities through the High Representative of the International Community (OHR 1995). The Bosnian case poses significant challenges to the democratic transition literature, violating some of tenets of Linz and Stepan's definition of consolidated democratic transition (Linz and Stepan 1996, 3), and being characterised by an institutional framework that strengthens ethnic affiliation and stifles the democratic development of the country.¹⁰

Despite these differences, there are similarities between Eastern Europe and the Bosnian case with respect to the economic dimension of the post-socialist transition. Indeed, political transitions do not simply aim at establishing liberal democratic systems, and the need for radical economic reform was a crucial part of the transition process. The proposed 'shock therapy' for post-communist countries envisaged simultaneous reforms in four major areas: liberalisation of prices and trade, liberalisation of the private sector regulations, privatisation of state firms, and monetary and fiscal policies aimed at macroeconomic stability. A downturn in the short-term was to be expected, but was considered to be momentary and necessary for future prosperity (Sachs 1990). Przeworski's book *Democracy and the Market* clearly remarks the connection between political reforms leading to democracy and economic reforms installing a capitalist system. In his words, the origins of the transition lie in popular discontent about both repression and hunger (Przeworski 1991, ix). While arguing that political and economic transformations are inevitably linked, Przeworski (1991, 138 and 161) acknowledges that the high short-term costs of structural reforms can actually jeopardise the stability of the new democratic system. Linz and Stepan (1996, 435-438) agree that the primacy given to economic considerations in Eastern Europe was problematic, and that market economy could not constitute a sufficient legitimacy basis for a new democratic country.

¹⁰ To give one example, it was ruled as discriminatory by the European Court of Human Rights (ECtHR) for not allowing candidates from minority groups (that is, not Bosnian Muslims, Serbs or Croats) to be elected at the Presidency or at the House of Peoples of Bosnia and Herzegovina (ECHR 2009).

Some scholars have argued that the Bosnian transition was inspired by similar principles (Donais 2005, 88; Pugh 2006b). In fact, Jeffrey Sachs, in his famous 1990 article that outlined the strategy for the economic transition in Eastern Europe, indicated Poland and Yugoslavia as the pioneers of these reforms. Yugoslavia's economic system had already become increasingly open to international markets in the previous decades, and according to international observers simply needed a 'structural adjustment programme' rather than a 'proper transition' (Lavigne 1995, 107). The economic crisis of the late 1970s convinced policy makers to approach international financial institutions and Yugoslavia was granted access to IMF loans (Donais 2005, 6). Conditions of living consistently worsened throughout the 1980s and scholars have noted that the economic difficulties faced by Yugoslavia could have contributed to its violent dissolution (Woodward 1995a). The post-socialist transition in Bosnia thus effectively began before the war, and was then brought to completion during the conflict and through the reconstruction programmes in its aftermath.

The study of post-socialist Bosnia thus inevitably intersects with that of peacebuilding and post-conflict reconstruction. Post-conflict countries need external support in order to recover from the destruction caused by the war. As Bojicic-Dzelilovic stresses, post-war societies are characterised by 'highly polarized economic and social relations, and decimated social cohesion' (Bojicic-Dzelilovic 2000, 101). Peacebuilding thus possesses an important economic dimension because it is concerned with physical rebuilding of infrastructure, provision of aid and economic reconstruction, and a wide array of organisations, including financial institutions, contributes to its realisation.¹¹ Analyses of the political economy of post-socialism in Bosnia and Herzegovina, however, are less common than studies dealing more specifically with the peacebuilding or reconstruction dimension.

Despite the controversial results of shock therapy, which had led to decrease and unemployment increase exceeding expectations (Donais 2005, 19), scholars have noted how reforms in Bosnia were inspired by similar principles. International actors

¹¹ Peacebuilding tasks may include 'disarming former belligerents to providing financial and humanitarian assistance, monitoring and conducting elections, repatriating refugees, rebuilding physical infrastructure, advising and training security personnel and judicial officials, and even temporarily taking over the administration of an entire country' (Paris 1997, 55).

envisaged Bosnia's reconstruction as based on private sector initiative: an 'internationally funded reconstruction phase, aimed at restoring basic infrastructure and services to pre-war levels' was thus to be followed by a 'policy-reform phase aimed at creating a permissible and favorable domestic environment for private enterprise' (Donais 2005, 91). The 'orthodox rationale of the political economic of peacebuilding' was thus inspired by the principles of the Washington Consensus, and based on the assumption that post-war societies suffered from dysfunctions that neoliberal reforms would help to correct (Pugh 2005a, 24). The Washington Consensus as elaborated by John Williamson proposed macroeconomic stabilisation and trade liberalisation alongside a series of other measures aimed at countries in need for reform (Williamson 1990). Pugh (2005a, 25) also argues that peacebuilding in Bosnia 'has promoted transformation through macro-economic stability, reduction of the role of the state, the squeezing of collective and public space, a quest for private affluence, and a reliance on privatisation and on exports and foreign investment to stimulate economic growth'. This model was hailed as a technical and necessary solution for economic recovery, but many scholars agree that post-war economic policy has wide-ranging political implications and ultimately depends on political choices (Bojicic-Dzelilovic 2000). Zaum's (2006, 48-49) analysis of the reform of the Payment Bureaux highlights some of the domestic features characterising the economic reform process in post-war Bosnia: the need to limit the role of the state in the economy, the reluctance of local elites to embrace reforms for fear of losing personal gains, and the prominent role of the international community in driving this process.¹² Despite their similarity to other Eastern European cases, domestic conditions thus also played an important role in how these reforms were implemented (Bartlett 2006, 215; Donais 2005: 112).

In addition to being critical of the international community's 'off-the shelf policy prescriptions' (Donais 2005, 45) in the field of peacebuilding and economic reconstruction, scholars have attributed them very similar problems to those that characterised post-socialist transitions, but also transitional justice. The same liberal assumptions informing transitional justice can be traced back to the 'liberal

¹² See also Pugh 2006a, arguing that, while in the first instance they often opposed reforms, elites often supported privatization plans at a later stage and tried to draw personal benefits from them (Pugh 2006a, 146).

internationalist' paradigm from which peacebuilding originated (Paris 1997, 55), as the international community aimed at establishing liberal democracy and a market economy as the fundamental elements required for international peace (Paris 1997, 56). Critical discussions of liberal peacebuilding have proliferated since the 1990s (see for instance Richmond 2006; Chandler 2010; Campbell et al. 2011; Sabaratnam 2011), but there has been little interaction with critiques of liberal approaches to transitional justice.¹³ Still, the two fields have struggled against similar problems (Sharp 2013), and discussions over the privileged role assigned to the international community (Paris 2002; Richmond and Franks 2007), and the need for 'local ownership' of peace processes (Donais 2009, 2012; Leonardsoon and Rudd 2015), bear striking similarities with more recent transitional justice debates (Orentlicher 2007; Nagy 2008), where scholars have also argued for the importance of local support for (and involvement in) justice efforts.

The implications of these shared liberal assumptions emerge from some academic accounts of the limitations of post-conflict reconstruction and reform. Many complain that local needs were not assessed and targeted. A large part of the population, for instance, was displaced during the conflict, and confronted with the difficulties of return in its aftermath. Bosnians faced the prospect of returning to an area where their group had become a minority as a result of ethnic cleansing. The international community sought to 'redress the wrong' of ethnic cleansing partly through reconstruction, thus allowing for the return of refugees. Black analyses different types of return programmes in Bosnia, and criticise them on the basis that 'international policymakers have shared with nationalists the view that Bosnian should be encouraged to live in *particular* places' (Black 2001, 196). In addition, international actors have sought to alleviate economic difficulties of returnees through other forms of economic support. For instance, unemployment is a widespread problem in Bosnia, but it affects minority returnees in a disproportionate way (Haider 2009, 97). Some international organisations and donors started offering economic means of support to returnees, including grants and microcredit loans, under the assumption that 'economic opportunities and market activity' have a

¹³ For some of these critiques see Sriram (2007) and Nagy (2008); see also Baker and Obradović (2016) and Miller and Lecy (2016) on the divide between the transitional justice and peacebuilding literatures.

positive impact on social reintegration (Haider 2009, 103-4). Belloni's work (2007) highlights that, even when focused on the local level, international efforts tended to promote particular visions that were not based on local needs or culture. He analyses economic incentives to the development of the civil society, which is considered an integral part of the liberal peace project. The reliance on foreign funds made Bosnian NGOs dependent on the donors and their priorities. Funds were mainly channelled to bigger organisations in the cities and fundamentally ignored pre-existent forms of civil society (Belloni 2007, 113). Moreover, economic aid often empowered local nationalist leaders and fostered clientelistic networks (Ibid., 103).

Studies focused on social reform have engaged with the questions posed by the legacies of socialism more directly. In his work, Bartlett analyses the varieties of capitalism which were established in Western Balkan countries during the 1990s. In his view, Bosnia's economic transition was characterised by the use of voucher privatisation, the relevance of political parties in controlling the economy, labour market problems and increasing youth unemployment (Bartlett 2006, 203-209),¹⁴ while other authors have expressed scepticism for development policies based on micro-credit rather than industry (Bateman et al. 2012). It is also worth mentioning the work of Paul Stubbs (and Bob Deacon; see Deacon and Stubbs 1997; Stubbs 1999; 2002) on social policy as an example of how the social consequences of transitional reforms linked to the international intervention can be analysed without bracketing neither the war nor Bosnia's post-socialist condition. This study takes into account this approach as well as the work of scholars who have studied the social impact of neoliberalism in Eastern Europe from the perspective of affected communities (see for instance Turbine 2007; Ishkanian 2008; Hemment 2009; Stenning et al. 2010). In this body of literature, neoliberalism is seen as a transitional project that bears consequences not only for the economic sectors undergoing reforms, but for the whole society. While the former Yugoslavia is not at the centre of these studies, they raise questions on the social implications of post-socialist transition that are very relevant for analysing justice claims emerging among Bosnian communities.

Two main points can be extrapolated from this overview of the literature covering the post-war and post-socialist transition in Bosnia, which respond to the

¹⁴ See also Bartlett 2007 and 2013 on welfare reforms in the Western Balkans.

aim of the section. Firstly, in the Bosnian case, post-socialism overlapped with the process of post-conflict reconstruction. According to many of the scholars cited here, this posed additional challenges to the implementation of an international blueprint for reforms that had already demonstrated its limits in the Eastern European context. Secondly, this section illustrates the existing separation between transitional justice studies and the study of post-socialism. In order to assess the threat that liberalisation policies might pose to the pursuit of economic justice (Miller 2008, 267), it is thus necessary to bridge the gap between these two fields of study, and take the socioeconomic dimension of wartime violence seriously.

1.4 Conclusion

As soon as they realised that transitional justice can be understood as a more complex process going beyond the 'peace v. justice' dichotomy, scholars have also recognised the need to engage with issues that had remained marginal in academic debates, such as gender issues (Franke 2006; Bell and O'Rourke 2007; Buckley-Zistel and Stanley 2012), but also – most importantly for this project – socioeconomic justice. This chapter has argued that the study of socioeconomic justice in Bosnia and Herzegovina should take stock of the conceptual and empirical limitations of existing debates on the socioeconomic dimension of transitional justice, and of the contribution made by regional specialists writing about post-war justice, peacebuilding, and economic reform.

While the definition of transitional justice left space for a variety of mechanisms, ranging from trials to reparations and truth commissions, legalistic approaches have been most common throughout the 1990s, and were international institutionalised through the establishment of the ICC. The former Yugoslavia was no exception. As scholars began to question the limitations of war crimes trials in helping processes of dealing with the past, they also began addressing the relationship between socioeconomic justice and transitional justice, which is the central concern of this thesis. It has been argued in Section 1.1 that these debates suffer from conceptual and empirical indeterminacies. The first issue thus has to do with the definition of socioeconomic justice itself. Even within the groups of scholars emphasising the importance of socioeconomic injustice, some (Arbour 2007; Sankey

2014) argue for the judiciability of socioeconomic wrongs or socioeconomic rights, while other scholars accept a wider definition of socioeconomic justice to include the redress of structural violence (Lambourne 2014; Laplante 2014). Others also question the feasibility of pursuing economic justice as an objective of transitional justice (Waldorf 2012). Empirical studies on this topic, moreover, are still scarce, leaving open the question of how socioeconomic justice can or should be addressed within transitional justice efforts. Lastly, these debates have not touched the former Yugoslav region, and thus this thesis aims to make a substantial contribution to this growing body of literature by investigating socioeconomic justice in Bosnia.

While not contributing to debates on socioeconomic justice, scholarly studies of post-war Bosnia provide us with important findings on the role and effects of transitional justice institutions such as the ICTY, as well as the way in which socioeconomic reforms were carried out. In contrast to Eastern European countries, the post-socialist transition of Bosnia and Herzegovina started before the 1990s, and coincided with the war and the post-war reconstruction effort. Section 1.3 has thus illustrated the differentiation between Eastern European transitions and the case of Yugoslavia, but also identified the similar principles guiding the political-economic transformation from socialism to a market economy. Works on the economic dimension of peacebuilding and on social sector reform are the most informative sources on this topic. Nonetheless, it has developed independently of the transitional justice literature. This signals the need for a different approach that can join debates on the socioeconomic dimension of transitional justice while benefiting from studying not only post-war justice processes, but also changes in the political economy of the country.

Rather than simply finding a 'gap', the purpose of this review was to lay the basis for a shift in approach, one that joins transitional justice debates with the challenges of the post-socialist transition. This chapter has shown how both processes are crucial for the analysis of socioeconomic justice in Bosnia, which is the aim of this thesis. Chapter 3 of the thesis will thus analyse how policies linked to justice processes and political-economic reforms, might have affected the development of socioeconomic justice claims. Before moving on to that, however, the thesis responds to the need, clearly emerging clearly from the literature review, that is, the need to adequately conceptualise socioeconomic justice and its relationship to other

dimensions of justice processes. Chapter 2 turns to this task and lays out the theoretical framework and methodology of this project.

CHAPTER 2

THEORETICAL FRAMEWORK AND METHODOLOGY

This chapter has the double aim of addressing the conceptual and methodological aspects of this thesis. Before outlining the research design of this project, Chapter 2 responds to the challenges emerging from the debates on the socioeconomic dimension of transitional justice by defining socioeconomic justice as redistribution (drawing on Fraser 1995, 1997, 2003, 2005, 2009) and outlining the context within which justice processes unfold in post-war and post-socialist Bosnia and Herzegovina. Overall, the chapter argues for the relevance of a critical approach to the study of socioeconomic justice, with the purpose of questioning established understandings of justice and highlighting the most marginalised aspects of processes of dealing with the past. This is then reflected in the methodological set-up of the thesis, aimed at exploring how the international intervention in the justice sphere interacts with varying local experiences of socioeconomic injustice during the war and the transition.

Given the relevance of her work for understanding justice claims, it seems surprising that not many transitional justice scholars have referred to Fraser's understanding of justice as recognition and redistribution (1995) when trying to make sense of claims emerging from post-war and post-authoritarian societies. This might have to do with the way in which the field of transitional justice evolved from an intellectual point of view (Arthur 2009), and with the development of transitional justice as a practice within international organisations and professionalised NGOs. More recently, however, critical authors have started recognising the potential of Fraser's writings for the field. Notable among these is the work of Elizabeth Stanley (2005, 2009a), who applies Fraser's (2003, 2005) understanding of justice as recognition, redistribution and representation in analysing the use of truth commissions, with reference to the specific case of East Timor. Woolford (2010) refers to the promotion of affirmative strategies to repair injustice against First Nations peoples in British Columbia, in such a way that only offers 'surface forms of

recognition and redistribution that do not threaten to radically transform society' (Wooldford 2010, 144). Several authors have linked the concepts of cultural, socioeconomic and political justice to the issue of gender in peace and justice processes (Franke 2006; O'Rourke 2009; Ní Aoláin 2012). In a recent article, Maria O'Reilly (2016) has applied the tripartite understanding of justice to the case of gender justice in Bosnia and Herzegovina, analysing the claims put forward by the Women's Court in Sarajevo in terms of recognition, redistribution and representation. This thesis takes these adaptations of Fraser's work in the field of transitional justice forward, and does so by following Jansen's (2013) suggestion that Fraser's work could be fruitfully applied to the case of BiH, 'in a context in which the preoccupation with ethnonational identity privileges questions of recognition and representation to a large extent', and where the 'insistence on the identitarian matrix renders invisible other inequalities' (Jansen 2013, 237).

After defining socioeconomic justice as redistribution, Chapter 2 contextualises this definition for the post-war and post-socialist Bosnian scenario. Section 2.2 then defines the scope of our interest to the practice of transitional justice, and argues that from this point of view justice itself can be seen as a contested concept, as well as a contested practice. Section 2.3 concluded the theoretical framework by discussing how international forces operating in transitional contexts delimit the boundaries of post-war justice processes. The second part of the chapter outlines the methodology and methods. After breaking down the research question of the thesis into sub-questions, and showing how they are addressed in the following chapters, the methodological assumptions of the project are presented in Section 2.4. The criteria for selecting research locations and participants are then discussed in the following section. Lastly, the chapter gives an overview of the research methods for data collection and analysis, and discusses ethical issues related to doing fieldwork in Bosnia and Herzegovina.

2.1 Socioeconomic justice as redistribution

Drawing on the contribution of scholars challenging established understandings of the functions of transitional justice, this thesis defines socioeconomic justice as redistribution. Transitional justice scholars engaged in these debates have suggested

that in privileging serious violations of basic civil and political rights over socioeconomic ones, transitional justice might be mirroring the biases and hierarchies of the broader field of human rights (Sharp 2012; see also Arbour 2007), and there might be good reason to challenge such hierarchies in instances where economic violence played an important role in the conflict. They have also noted that transitional justice might do better at addressing socioeconomic injustice if its link with the establishment of liberal democracy is rescinded, and its goal re-thought as the establishment of 'positive peace' (Sharp 2014; see also Galtung 1969). The dominant concern of these debates, however, is with the aims of transitional justice, as opposed to the meaning of justice for societies in transition. In proposing the shift from a 'transitional' to a 'transformative' justice model that supports sustainable peace and reconciles retributive and restorative justice approaches, Lambourne (2009, 2014) is indeed answering to the question of 'What is the purpose of transitional justice?' (Lambourne 2009, 28). She recognises that the justice aims of transitional justice can be multiple, and includes socioeconomic justice as one of its dimensions, indicating 'the various elements of justice that relate to financial or other material compensation, restitution or reparation for past violations of crimes (historical justice) and distributive or socioeconomic justice in the future (prospective justice)' (Lambourne 2009, 41). The question of what sort of injustices count as part of the transformative model, and how do they relate to local experiences and understandings, remains open.

Socioeconomic justice is here defined as redistribution (drawing on Fraser 1995, 2003). Its defining characteristic is that both the injustice suffered and the remedy proposed for such injustice are rooted in the political economy. Injustices of a socioeconomic nature can include 'exploitation (having the fruits of one's labour appropriated for the benefit of others); economic marginalization (being confined to undesirable or poorly paid work or being denied access to income-generating labour altogether), and deprivation (being denied an adequate material standard of living)' (Fraser 2003, 13). Remedying such injustice entails 'redistributing income, reorganising the division of labour, subjecting investment to democratic decision making, or transforming other basic economic structures' (Fraser 1995, 73). Adapting this definition to the transitional justice field brings out the forward-looking potential of socioeconomic justice in post-war and post-authoritarian contexts. While

reparations, the most established socioeconomic component of the transitional justice paradigm, have traditionally been considered a backward-looking tool to settle claims over past violations (Posner and Vermeule 2003), this conception can be challenged for being too narrow. Even some types of reparation claims, Torpey (2001, 337) argues, can be forward-looking because they are ‘connected to broader projects of social transformation’. In the understanding proposed here, socioeconomic justice has a backward-looking component but also entails a concern with ‘justice in the future’ (Lambourne 2014, 29), and more specifically the need to repair past wrongs in such a way that contributes to establishing a fairer society.

For Fraser, the definition of socioeconomic justice implies a specific understanding of the collectivities that put forward this type of claims. As an ideal-type, they are defined by their economic relations to the rest of society, as social classes (Fraser 2003, 14). In countries undergoing complex processes of transition (Kostovicova and Bojicic-Dzelilovic 2013), however, groups that have suffered from socioeconomic injustice might struggle to establish themselves as the legitimate bearers of justice claims. Where national or ethnic identity comes to define the structure of society, the conditions of ‘parity of participation’ (Fraser 2003, 36), at least at the intersubjective level that requires equal respect and opportunities for everyone taking part in the process of democratic deliberation, might be lacking. The identification of those who suffered from socioeconomic injustice and who articulate socioeconomic justice claims can therefore be more complex, and involve belonging to multiple groups, defined on the basis of class and/or status.

Socioeconomic justice is understood as one dimension of a broader conception of justice. The aim of the thesis is thus not to establish its primacy, nor is it to diminish the importance of serious violations of International Humanitarian Law and the need to address them, including through judicial mechanisms. Rather, it calls for rethinking post-war justice as a multidimensional concept. Socioeconomic justice and injustice, then, are also defined in relation to other justice dimensions, such as those related to ‘patterns of representation, interpretation, and communication’, that is, cultural injustice (Fraser 1995, 71), or to the process through which justice claims are debated and adjudicated (political representation; Fraser 2005, 2009). Overcoming injustice will most likely involve remedies that touch on all these dimensions (Fraser 2003, 24; 62-64), as they are understood as alternative perspectives rather than as

substantially different. Perspectival dualism is thus a critical tool adopted in this thesis to shift the focus from the common preoccupation with interethnic violence characterising transitional justice studies to a greater concern with socioeconomic issues, while at the same time overcoming the artificial separation between culture and political economy that could lead to obscuring important overlaps between socioeconomic and cultural injustice, especially in the lived experiences of those who suffer it.

2.1.1 Socioeconomic justice in the 'post-socialist' and 'post-war' condition

The definition of socioeconomic justice adopted here takes into account the specificities, constraints or challenges set by the context under consideration. Bosnia's experience as both a 'post-war' and 'post-socialist' country has important implications for the study of socioeconomic justice conducted in this thesis. First, Bosnia's post-war condition points to the fact that socioeconomic injustice can be perpetrated as part of the military effort or conflict itself, or derive from it. The relationship between forms of socioeconomic injustice and the war, and the way in which different forms of violence overlap or interact, demand careful consideration when investigating the experiences of local Bosnian communities. Socioeconomic injustice can lead to justice claims that encompass redistribution, but also some form of recognition. As the following section shows, they can also contest the process of claim making itself, which might be characterised by the wrongful exclusion of specific groups and issues from transitional justice processes. Second, the post-war condition is characterised by a specific temporal problem. As a result of the war, victims may lack access to remedies or even the ability to articulate justice claims for years. The lack of remedies for injustice might be protracted into the post-war period, where structural reforms have already been singled out as one potential source of further social injustice (Laplante 2008). This has important implications for the process of formulation of justice claims, both in terms of timing (when are these claims put forward) and with reference to the subjects of such claims (who formulates them). As years go by, those who were directly affected by socioeconomic injustice during the war grow older, but socioeconomic injustice becomes entrenched in society and thus affects younger generations as well.

Transitional justice mechanisms can potentially contribute to socioeconomic justice intended as redistribution. In addition to sentencing war criminals, courts can sometimes provide economic reparation or compensation, in a way that contributes to future-oriented redistributive justice (with different arguments on the role of reparations and truth commissions, see Torpey 2001 and 2003; Lambourne 2014; Sankey 2014). As Stanley (2009a) noted with reference to East Timor, transitional justice institutions can also, however, limit opportunities to obtain justice and create further injustice, by withholding recognition, preventing participation and thus undermining their chances of fighting for social justice (Stanley 2009a, 18, 59-70). Some transitional justice literature has already suggested that doing justice after war might involve a 'reparative' goal, an attempt to restore, to the greatest extent possible, the conditions present before the violence took place, or if it had never happened (Mani 2002, 522). Therefore, we might expect people's ideas of socioeconomic justice to be at least partly shaped by their memories of the previous system (or the memory that people have of it) (Jansen 2006).

While Bosnia's post-war condition does not necessarily preclude the possibility of socioeconomic justice, its post-socialist condition poses additional challenges. Fraser's remarks on the post-socialist age – as an era marked by the absence of an alternative 'emancipatory project' in the wake of the fall of 'actually existing' socialism and the rise of neoliberalism (Fraser 1997, 3) – resonate with the Bosnian case. The Bosnian post-socialist condition, however, is more than that: it is also a way of characterising the role of the country's past in shaping its contemporary transformation. According to Gilbert, the fact that state socialism was brought to an end by the war¹ led to the 'bracketing of the socialist era from public discussion in postwar Bosnia' (Gilbert 2008, 168). The international intervention contributed to this *mis*-placement or *dis*-placement of 'socialist era values, narratives, and cultural perspectives' (Gilbert 2008, 168).

The international intervention in the field of peacebuilding and economic reform was inspired by a liberal paradigm that was not equipped to deal with the consequences of the fall of socialism through war. As a result, the reconstruction

¹ Even though processes of democratisation or economic reform had started before the war, socialism ended through conflict rather than thanks to the pressure of democratising forces in society (Gilbert 2006, 17).

effort, both from a human and material point of view, was focused on addressing selected aspects of Bosnia's post-war state of destruction. The paradox of Bosnia's post socialist condition is thus not only what Torpey identifies as the crux of contemporary reparation politics, i.e. the fact that the politics of redressing past injustice has taken the place of progressive narratives focused on the future, such as socialism or the establishment of nation states (Torpey 2006). The Bosnian case is also paradoxical because, in the context of an international intervention with a short or selective historical memory, the (backward-looking) politics of the socialist past are often regarded as a form of progressive politics for the present. The definition of socioeconomic justice with reference to its context raises questions on local understandings of justice, and their relation to the international forces that shape this post-war and post-socialist background. The following section develops further the understanding of justice as a social practice, and a contested one, paving the way for the empirical analysis presented in Chapters 3-6.

2.2 Transitional justice as a social practice

Transitional justice is here primarily understood and researched as a social practice, concerned with the expectations, needs and – most importantly – claims of affected communities, as opposed to the emergence and establishment of international institutions. In particular, this thesis is concerned with how injustice was locally experienced during the war and transition, and how justice itself was conceptualised and acted upon at the social level. Rather than focusing on the impact and reach of transitional justice as a set of universal norms focused on accountability, this project adopts a more 'inside out' perspective, centred on the emergence of local justice claims and the processes of contestation and struggle that characterise their interaction with the international.

2.2.1 *Justice as a contested concept*

Compared to the top-down view of transitional justice as an intellectual project concerned and set of practices adopted to ensure a smooth transition to democracy,

from a bottom-up perspective post war justice appears as an essentially contested concept. The substantial meaning of justice can be contested between those concerned, for instance, with the need to redress maldistribution and misrecognition. While the former requires downplaying differences and promoting equality, the latter calls for the recognition and celebration of such differences (Fraser 1995, 74). Theoretical debates on the redistribution-recognition 'dilemma' (see Young 1997; Butler 1998; Fraser 2000; Fraser and Honneth 2003) are outside of the scope of this thesis, but indicative of the difficulty in pinning down the meaning of justice, especially when taking into account the ways in which it is understood and enacted by social actors. The literature on the practice of human rights, from which the thesis draws inspiration, is precisely concerned with 'all the many ways in which social actors across the range talk about, advocate for, criticize, study, legally enact, vernacularize, and so on, the idea of human rights in its different forms' (Goodale 2007, 24). The focus is on justice as an 'interpretive process' and on 'how and why international justice is mobilised, understood and abandoned by concrete social actors and to what effect' (Kelly and Dembour 2007, 7 and 2).²

Instead of regarding a specific understanding of justice as fixed, the thesis adopts an approach that questions established understandings as definitive, and shifts the perspective towards marginalised dimensions of justice processes. From Fraser's point of view, this would entail adopting an analytical (or perspectival) dualist approach, where redistribution and recognition are 'co-fundamental and mutually irreducible dimensions of justice' (Fraser 2003, 2). From the perspective of the scholarship on the practice of human rights, this entails understanding justice 'as an essentially contested concept', 'always embedded within specific social relationships rather than being the produce of an abstract set of principles' (Kelly and Dembour 2007, 17). The latter approach seems particularly apt to studying how social actors in specific circumstances, defined by the different configurations of the post-war and post-socialist condition, make sense of socioeconomic justice. The conceptualisation of transitional justice and socioeconomic justice offered here is thus

² Transitional justice scholars have followed similar approaches in studying the impact of transitional justice mechanisms beyond their stated objectives, in order to see how justice norms are adopted and modified by local groups for different purposes, and to what extent this sort of activity contributes to democratisation (Nettelfield 2010).

grounded in social practices rather than in international norms and institutions (Goodale 2009, 14), and should allow for sufficient flexibility to capture the nuances deriving from empirical observation.

2.2.2 *Justice as a contested practice*

The discussion above suggests that justice is not only a contested concept, but also a contested practice, *and* a practice of contestation. Leaving aside the philosophical background of the different justice dimensions, the thesis is concerned with justice in the political sense, as ‘families of claims raised by political actors and social movements in the public sphere’ (Fraser 2003, 9). A substantial part of the empirical chapters is dedicated to the analysis of what Fraser calls *folk paradigms of justice* (in order to distinguish them from the philosophical paradigm), that is ‘sets of linked assumptions about the causes of and remedies for injustice’ (Fraser 2003, 11). What are, then, the elements of contestation inherent to the process of formulating justice claims? First, justice claims emerge from groups that struggle to establish themselves as the bearers of such claims, to present themselves as entitled to put them forward in the public debate. This issue thus has to do with the problem of the ‘frame’, that is, how the boundaries of justice processes are set (Fraser 2009, 2) and to second-order, meta-level questions related to ‘not only who can make claims for redistribution and recognition, but also how such claims are to be mooted and adjudicated’ (Fraser 2005, 75).

Within a single ‘public sphere’ (Habermas [1962] 1992), relations of ‘dominance and subordination’ among different groups in processes of public deliberation can deprive those in subordinate positions from the ability to articulate justice claims. (Fraser 1990, 66). In such circumstances, it is more helpful to allow for the existence of multiple public spheres, ‘subaltern counterpublics’ as ‘parallel discursive arenas where members of subordinated social groups invent and circulate counterdiscourses’ (Fraser 1990, 67). This might be particularly important in post-war contexts, where victims of war and violence have an intensified need to adjust their experiences to larger group narratives (Kolind 2008, 75). Given the marginalisation of socioeconomic issues in transitional justice debates, and the organisation of Bosnian society according to ethnonational belonging, it is probably among these

'counterpublics' that we might have to look in order to understand the relevance of socioeconomic justice. Defining the 'who' of socioeconomic justice in these terms entails the possibility to challenge boundaries and to enlarge the scope of participation, while at the same time warning that alternative narratives of justice might remain hidden from the public space of civil society mobilisation through NGOs working in the peacebuilding and transitional justice sector.

The practice of socioeconomic justice (and justice in general) also entails a tension between different strategies adopted to redress injustice. Fraser distinguishes between affirmative and transformative remedies, which have to do with the 'level at which the injustice is addressed' rather than with the substance of the injustice (Fraser 2003, 74). Affirmative strategies 'aim to correct inequitable outcomes of social arrangements without disturbing the underlying social structures that generate them. Transformative strategies, in contrast, aim to correct unjust outcomes precisely by restructuring the underlying generative framework' (Ibid.). In trying to correct outcomes, affirmative strategies can entail multiculturalist policies when addressing cultural injustice, or liberal, welfare state support when addressing socioeconomic justice (Fraser 1995, 82-84). These can have drawbacks, for instance promoting a kind of identity politics that reifies collective identities (Fraser 2003, 76), or a vision of the poor as 'inherently deficient and insatiable, as always needing more and more' (Fraser 2003, 77). Transformative strategies, such as deconstruction (to counter misrecognition) and socialism broadly conceived (to counter maldistribution) (Fraser 1995, 84-86), do not suffer from these issues because they acknowledge cultural complexity and promote socioeconomic solidarity (Fraser 2003, 78). Even within the remit of political representation, affirmative remedies challenge injustice without questioning the process of frame-setting (Fraser 2005, 80), while transformative approaches ambitiously aim to 'democratize the process by which the frameworks of justice are drawn and revised (Fraser 2005, 84). Once again, the context within which justice claims develop can affect local actors' abilities to adopt different types of strategies. Wendy Brown (2000) notes that subordinated groups are often put in the paradoxical position of having to seek emancipation through means that partly reinforce or sustain their subordination. Moreover, Fraser (2003, 77) herself recognises that transformative remedies are limited by their difficult applicability. While there might be instances where groups make attempts at advancing 'critiques

of power and alternative visions of what could be' (Carrol and Ratner 1996, 602), and 'demanding the creation of new democratic arenas' of justice deliberation and frame-setting (Fraser 2005, 84), in other cases the bearers of justice claims will have to adapt to circumstances linked to their position within the post-war and post-socialist transition (and thus adapt to more pragmatic affirmative strategies, or more indirect or micro-level resistance).³

The second element to be considered here is the way in which contestation is also part of the process through which justice claims are developed and expressed. According to Fraser (2005, 2009), problems related to democratic participation in justice processes are not simply procedural issues, but constitute a third justice dimension – political representation. In post-war justice processes, local communities might contest the possibility to participate as peers in public deliberation (*ordinary-political misrepresentation*), or the drawing of the communities boundaries in such a way as to exclude some people from the chance to participate at all (*misframing*; Fraser 2005, 76). Misframing leads to a sort of 'political death'⁴ where those 'who suffer it may become objects of charity or benevolence. But deprived of the possibility of authoring first-order claims, they become non-persons with respect to justice' (Fraser 2009, 20). Lastly, political injustice can become visible at a third level, as *meta-political misrepresentation*. This arises 'when states and transnational elites monopolize the activity of frame-setting, denying voice to those who may be harmed in the process, and blocking creation of democratic arenas where the latter's claims can be vetted and redressed' (Fraser 2005, 85). This last point raises the question of how these processes of representation play out in the post-war and post-socialist context of Bosnia and Herzegovina, where justice discourses were promoted by the international intervention in the country.

2.3 International forces

The international intervention, including transitional justice norms and programmes, and other types of post-war and post-socialist reforms, plays a role in defining what

³ See for instance Scott 1985, 1990.

⁴ Fraser is drawing on Arendt (1973) here, although the phrase 'political death' is her own.

justice means in Bosnia, and delimiting the boundaries of justice processes. While past experiences are important in the development of conceptions of justice, it is also true that 'this experience takes place inside structures which define people's lives' (Merry 1990, 5). In the context of post-war transitions, international intervention represents one important aspect of such structures. For the scope of this research, international intervention thus refers to an ensemble of practices, spanning a diverse range of fields. From a substantial point of view, intervention can include transitional justice, peacebuilding, but also political-economic restructuring, reflecting the multifaceted ways in which different types of post-war reform affect society. From the point of view of its modes of operation, intervention can thus entail institutional reform (as analysed by much of the literature on transitions (see Linz and Stepan 1996; Stark and Bruszt 1998), 'non-linear' forms of intervention aimed at making institutional reform more viable in complex post-war settings (Chandler 2013), and in general attempts at producing transformations at the social level, from below (Gabay and Death 2012). Part of the process of intervention can be the establishment of authoritative transitional justice narratives through the establishment of specific mechanisms such as courts and commissions. These processes contribute to define justice meanings, and, to a certain extent, delimit the officially accepted boundaries of justice processes.

The international intervention in the justice sphere thus can, on the one hand, have an important discursive impact, defining the meaning of justice in a specific way, and giving rise to established interpretations that inevitably push other conceptions to the side (Merry 1990). Like other human rights-related projects, transitional justice as a set of international norms embodied by transitional institutions is characterised by 'universalism', as such norms and claims are introduced into local settings and acted upon within existing social and political structures (Goodale 2009, 15). On the other hand, norms and institutions structure the process of adjudication of justice claims, and therefore they give voice to some groups, do justice in some ways, and in doing so they draw boundaries that delimit the community of people entitled to participate to such adjudication. Legal processes, for instance, have the double function of promoting stability and justice, and posing barriers against certain claims or even representing a space of contention (Gray 2012). Moreover, within the post-war context, justice processes does not occur within the

traditional state-centric 'Westphalian' model (Fraser 2005, 69-70). Transitional justice, as developed during the 1990s, was an internationally-led endeavour that placed international organisations in a privileged position as initiators, guarantors and sponsors of post-war justice processes. In post-conflict settings, power relations are thus tilted in favour of international actors, called to engage with justice issues directly in framing justice problems and possible remedies.

Studying the practice of transitional justice, however, requires not only taking into account the impact of transitional justice as an international programme, but also analysing the role of other aspects of the international intervention that might have affected the emergence of specific types of justice claims. Justice processes cannot, indeed, be isolated from the broader processes of post-war and post-socialist transition. The social relations and power structures within which justice processes are embedded are not only linked to dominant interpretations and practices of internationally-sanctioned transitional justice, but to the broader political economy of the transition as a whole. As forthcoming chapters will show, this entails putting in relation local experiences, conceptions, and forms of agency with policies and reforms that reflect international priorities for liberalisation, marketization and privatisation. The thesis will thus adopt a relational approach, involving the joint analysis of these claims and of the ways in which the international intervention (in its different manifestations) affects their development and chances of success.

2.4 Research design

The overarching research question of the thesis, as outlined in the Introduction, is: what is the role of socioeconomic justice and injustice in war and transition, and how do post-war societies deal with socioeconomic injustice? More specifically, the thesis looks at the case of Bosnia and Herzegovina and tries to understand how the complex interaction between the war, socioeconomic violence, and the fall of the socialist system, has shaped local experiences of conflict and of the transition. As mentioned in Chapter 1, while the transitional justice literature debates the relationship between socioeconomic justice and mechanisms for dealing with the past, there is still little empirical research conducted on how socioeconomic violence actually manifests itself in times of war. The first sub-question addressed by the research is thus *how*

local communities in Bosnia and Herzegovina have experienced socioeconomic injustice, when this has happened, and how these experiences relate to other forms of injustice that are more commonly studied. This question will be answered in Chapter 4.

A second, crucial aspect of the question relates to *how local communities develop conceptions of justice* as a result of specific experiences of socioeconomic justice. Chapter 5 thus discusses how Bosnians conceive of justice, what role do socioeconomic issues play in these conceptions and whether these ‘justice paradigms’ are characterised by an overlap of different justice claims, possibly including recognition and representation alongside redistribution. Developing specific conceptions of justice does not necessarily entail social mobilisation, but it can provide the basis for this. An important spin-off of this second question is thus *whether socioeconomic justice claims have led to protests or other forms of action on the part of the affected communities*. The final chapter of the thesis, Chapter 6, is thus dedicated to answering this question.

While the thesis adopts a bottom-up perspective that is centred on the role of local communities, their experiences, voice, and agency, the theory section of this Chapter has emphasised the importance of taking into account the role of the international intervention in shaping post-war justice processes. It is thus necessary for this research project to *identify the ways in which the international intervention affects socioeconomic justice issues in Bosnia and Herzegovina*. Before moving on to the analysis of local experiences and justice paradigms, Chapter 3 will thus show that transitional justice policies on economic issues and political-economic reforms provide a necessary background against which we should evaluate the emergence of socioeconomic justice claims in Bosnia.

2.4.1 Methodology

Methodology is the set of ‘assumptions about the ways in which knowledge is produced’, providing guidance on the question of ‘how can we go about acquiring [...] knowledge?’ (Grix 2002, 179-180), and consists of the ‘procedures and choices by which theory becomes analysis’ (Hansen 2006, 1), which is inevitably shaped by the researcher’s epistemological viewpoint. The thesis adopts a critical approach aimed at challenging established understandings of post-war justice issues, and at

developing a better understanding of the socioeconomic dimension of transitional justice processes. Theory is understood to have a guiding role in the research process, that 'does not determine how we see the world but helps devise questions and strategies for exploring it' (Kincheloe and McLaren 2005, 306). At the same time, researchers should approach the field while open to new findings and anomalies that do not necessarily conform to the theoretical framework, but contribute to reconstruct it (Burawoy 1998, 10 and 16-21).⁵

In answering the questions of what is the role of socioeconomic injustice in war and transition, and how post-war societies deal with it, the thesis focuses on the case of Bosnia and Herzegovina, whose background was presented in the Introduction. The case of Bosnia is critical case for the relevance of socioeconomic justice in post-war justice processes. In a setting where transitional justice programmes focused on redressing interethnic violence, and where competing narratives about the war centre around the importance of identity, showing that socioeconomic justice matters can provide a boost to arguments in favour of its inclusion – or at least consideration – in the transitional justice paradigm or post-war justice processes. A case study is usually understood as 'the intensive study of a single case where the purpose of the study is – at least in part – to shed light on a larger set of cases' (Gerring 2006, 20; see also George and Bennet 2005 for a similar definition). In this perspective, single case studies are nested within the comparative method: they can be used as deviant cases in order to modify theory (Lijphart 1962, 692), they can serve the purpose of a plausibility probe or a building block for new theories and hypotheses (Halperin and Heath 2012). Rather than seeking to explicitly insert the Bosnian case within a comparative framework, the thesis is best served by a case study methodology because it allows for the in-depth and context-specific analysis of post-war justice processes at the local level. This methodological choice seems particularly important given that the aim of the thesis is to bring to light aspects of local experiences that are currently obscured by dominant approaches to

⁵ The researcher is thus never entirely separated from the object of its research. The case study itself can be understood as 'theoretically constructed object': it is the 'theory we bring to the site that turns it into a case of something' (Burawoy 2009b, 36). More specifically, the 'case' is 'doubly constituted: realistically by the social forces within which it is embedded and the social processes it expresses, and imaginatively by the position we hold in the field and the theoretical framework we bring to bear' (Ibid.).

the study of transitional justice. The case study is also suited for enriching our theoretical understanding of the relationship between socioeconomic justice and transitional justice.

The methodology of this project combines the use of a case study with a sub-national comparison between the cities of Prijedor and Zenica. It has been argued that sub-national comparisons can help address some of the limitations of case study research, for instance remedying ‘invalid part-to-whole mappings’, where one thoroughly researched region is mistakenly taken as representative of the whole country, and by revealing spatial variations in processes of political and economic change (Snyder 2001, 99 and 100-103). The selection of these two cities contributes to addressing the problematic over-representation of Sarajevo and other more common research sites, whose views might indeed have become normalised as constituting the basis of our knowledge of justice processes in Bosnia and Herzegovina, despite the specificity of the city’s experience of the war and post-war period.⁶

Table 2.1 Fieldwork: summary of key information

Total duration of fieldwork	9 months, between 2014 and 2016
Main period of data collection	April – September 2015
Cities targeted for the research	Prijedor (Republica Srpska) Sarajevo (Federation of BiH) Zenica (Federation of BiH)
Other locations frequently visited	Banja Luka (Republica Srpska) Mostar (Federation of BiH) Tuzla (Federation of BiH)
Main methods of data collection	Semi-structured interviews Ethnographic observation and field notes

In addition to their similar past as ‘typical socialist era working-class’ cities (Bose 2002, 15), Prijedor and Zenica also share the distance from the heavy presence of international actors that characterises Sarajevo. Prijedor and Zenica were known

⁶ It should be noted that Prijedor has been better represented in the transitional justice literature compared to Zenica, and thus we cannot assume the two cities are equally under-researched. The research has however addressed different issues compared to other transitional justice studies, and targeted participants that were unlikely to have been represented in previous research.

for their mining and steel industry respectively, and it should also be noted that the iron ore extracted in Prijedor was transported to the steel mill in Zenica in order to be processed. After the war, during which industrial production almost came to a halt, one of Prijedor's iron ore mines and the Zenica steel mill were acquired by the same multinational company, ArcelorMittal. Their post-war experience of the transition has been characterised by economic decline, and demographic and social changes. These two cases have been thus chosen because their in-depth analysis could potentially displace established interpretations of the war, of wartime injustices, and especially post-war justice processes. The selection of Prijedor and Zenica is also aimed at uncovering how experiences and conceptions of justice might differ based on different war events and conflict outcomes. Zenica remained under the control of Bosniak forces during the war, while Prijedor was taken over by the Bosnian Serb VRS and witnessed war crimes and crimes against humanity against the non-Serb population. Therefore, in order to show how past experiences and the interaction with the transitional justice framework can operate differently, the research looks at cities with different levels of interethnic violence and political economies of conflict.

Against this methodological background, the development of the research design had to respond to the research question (and sub-questions). The following sections thus explain the methodological choices made in order to achieve the following aims: understand experiences of socioeconomic injustice and conceptions of justice, from the perspective of the local Bosnian communities; situating these experiences and justice claims within the context of the international intervention in Bosnia and Herzegovina; research the extent to which socioeconomic justice informed local agency and social mobilisation, by looking more in depth at the case of the 2014 protests. The following sections address these questions with reference to the methods of data collection and analysis.

2.4.2 Research methods: data collection and analysis

The overall aim of the research is of a qualitative nature – the deep understanding of local perspectives on the relevance of socioeconomic justice, and its connection to the transitional justice paradigm. The thesis thus approaches the international intervention 'from the bottom-up' (Baker 2012, 850). Semi-structured interviews

seemed particularly apt for this project, providing a guidance on the key themes and questions to be addressed, while leaving sufficient flexibility depending on the circumstances of the interview (Babbie 2010), and allowing for a certain degree of more spontaneous interaction between the researcher and the respondent. In order to uncover social perceptions of injustice and conceptions of justice, interviews with workers in Zenica and Prijedor have focused on their personal stories and experiences through the war and transition. Other researchers have also used focus groups to study similar contexts, as they offer advantages for researching the social construction of narratives through more spontaneous exchange (Sokolić 2016), among other things. In this case, interviews were preferred for several reasons. The socioeconomic dimension of wartime violence is still a little-explored issue, and in such context one-on-one interviews might allow participants to report their experiences in more depth (Josselson 2013, 5), and without frequent interruptions. In addition to this, interviews better responded to the research aim of collecting stories that reflected the participants' own experiences and perception of those experiences (Seidman 2006). In the few instances where I conducted interviews in small groups (at the participants' request), the personal account of wartime socioeconomic injustice and its interpretation received less attention and time compared to the discussion of justice claims deriving from those experiences. Last but not least, problems related to access inevitably shaped the choice of research method. My position as a foreign young woman with a non-native knowledge of the local language inevitably affected some of my research choices. Within this context, adopting focus groups as the main research method might have made it more difficult to implement other important research choices, such as looking for participants outside of the formal civil society sector.

The decision to research justice issues at the margins of conventional processes led me to target of specific groups for participation in the research. Participants were recruited through a strategy that combined snowball sampling and an approach aimed at 'maximum variation' (Tansey 2007; Ongwebuzie and Collins 2007) on the basis of personal characteristics, such as gender, age, place of residence within the city, or status as a returnee/member of the Bosnian diaspora. Rather relying on established organisations, this thesis adopts an approach that is 'suspicious of gatekeepers and social brokers who claim to represent the whole

society' (Kelly and Dembour 2007, 7). Therefore, I have specifically reached out to 'common citizens' and in particular groups that are socially marginalised or subordinated (Lather 2004, 208). Given the thesis focus on socioeconomic justice, I interviewed workers or former workers, who suffered from losing the important place they occupied (or thought they occupied) in the Yugoslav society. As a social class, workers do not enjoy full participatory parity in a system that privileges ethnicity as a defining trait of one's belonging to the society. In Zenica, most of the workers interviewed were employed in the steel plant, now owned by ArcelorMittal. In Prijedor, interviewees had been employed in many of the city's businesses, including the mines, the ceramics sector, the paper mill, and so on. It should also be noted that while I tried not to use ethnicity as a criterion for recruiting participants for the study, this element inevitably affected my work in Prijedor, where the war was characterised by interethnic violence. Potential respondents of Serb ethnicity seemed more suspicious of me and were difficult to approach, and as a result many of the workers interviewed in Prijedor might be characterised as Bosniaks, Croats, or of mixed background. Respondents were not directly asked about their ethnicity during the interviews. I left them the choice of disclosing it or discussing it if they felt it was relevant to answer my questions.

Interviews were conducted in Bosnian or English, in person (except for one email interview, and one conducted on Skype). Most of the interviews were audio recorded, always with the consent of research participants. I often explained that, as I was conducting interviews in a foreign language, recording would allow me to avoid missing important information, as I would have more time to listen and transcribe the material at home. In a few cases interviewees asked me not to record the interview, and I took notes manually during our conversations. In one circumstance, I conducted an interview with an activist (in English) while walking around the streets of Sarajevo and I could only write down notes after we separated. Luckily, however, in most cases I was able to have a record of the interview and analyse the authentic words of the interviewees. In addition to interviews, the thesis also draws on many informal conversations with people in Prijedor, Sarajevo, Zenica and other cities.

Table 2.2 Interviewees

Banja Luka	1
Mostar	1
Prijedor	19
Sarajevo	29
Tuzla	4
Zenica	22
Other	1 (Vienna, via Skype)
Total number of interview sessions	77
Total number of interviewees	76 ⁷

The interviews done in Prijedor and Zenica, or with people from the area based in Sarajevo, constituted the bulk of the research. However, the thesis' aim to research the involvement of the international intervention in post-war justice processes, with specific reference to socioeconomic issues, called for conducting interviews with international officials as well. Sarajevo hosts a number of international organisations, including several UN offices, the OSCE, the EU, the High Representative of the International Community, and others. Only few of these organisations have local offices in smaller towns. International organisations were contacted via email or phone, and through personal contacts in the Bosnian capital. This set of interviews was mostly used to gather the internationals' views on justice issues in post-war Bosnia, including socioeconomic issues and international policies adopted to address these. While in Sarajevo, I have also interviewed Non-Governmental Organisations, particularly on their views of socioeconomic justice and justice issues more in general, and their involvement with (or support of) the 2014 protests.

With respect to researching forms of social mobilisation, the focus of the research needed to be broadened beyond Prijedor and Zenica. In addition to studying mobilisation in these two cities, I targeted activists involved during the 2014 protests throughout the country. Started in the industrial town of Tuzla and sparked by

⁷ The two numbers differ because some informants were interviewed more than once, and some interview sessions included small groups of participants (up to 3) rather than a single interviewee.

socioeconomic problems left unaddressed in the post-war and post-socialist transition, the protests spread throughout the BiH, and led to the creation of a network of activists and groups whose agency with respect to socioeconomic justice issues can only be truly appreciated by adopting a country-wide outlook. Interviews have therefore been conducted with activists from Prijedor and Zenica, as well as other cities involved in the protest movement from 2014. This led me to travel to Mostar, Banja Luka, Tuzla, and to stay in touch with activists from other smaller towns and with the Austrian organisation that funded some of their activities in the aftermath of the protests. In-depth insights about how social mobilisation for socioeconomic justice developed also stem from the direct observation of the meetings of the Zenica 'Plenum' in the summer of 2015, from the material published by them as well as by other groups.⁸ Focusing on these grassroots groups, therefore, allows for the analysis of different patterns of agency compared to what emerges from engaging with NGOs and workers, and to show how these different local groups interacted in varied ways with the transition process and the international intervention as a whole.

The thesis also relied on other primary material collected during the fieldwork and remotely, from online sources. This includes documents produced by international organisations such as the EU, UNDP, OHR, World Bank, IMF and EBRD, but also documents that were handed to me by some of the NGOs or activist groups I visited, and by the offices of the development agencies of Prijedor and Zenica. I gathered material from activists working in cities like Tuzla and Sarajevo after meeting them, and in Prijedor and Zenica where I lived for longer periods of time during my fieldwork. I have collected copies of the bulletin ("Bilten") produced by the Plenum in Zenica since autumn 2015, and archived all relevant material from the protests available on the website Bosnia-Herzegovina Protest Files. Lastly, field notes were used to write up observations of protests, events organised by international organisations or local NGOs, and most importantly the meetings of the Plenum group of activists in Zenica in the summer of 2015.

⁸ A large portion of the material produced during the protests was gathered online at bhprotestfiles.wordpress.com (last accessed 7 December 2016).

The interpretation and analysis of the material is sensitive to the researcher's own positionality. The inclusion of research locations and target groups that have remained outside the beaten track of researchers in Bosnia and Herzegovina offered opportunities, but also posed challenges. Research is inevitably affected by the lack of an 'Archimedean standpoint' for the researcher in the field, as 'we are always inserted somewhere in the site, which has grave consequences for what we see' (Burawoy 2009, 37). Being a young Italian woman characterised me as an outsider to most participants in Bosnia. My background as a UK-educated researcher was very familiar to interviewees working for international organisations and NGOs in Sarajevo, but not to most people I talked to in Prijedor and Zenica. My working knowledge of Bosnian and my decision to move to these locations for some periods of time allowed me to access those sites and interact with people. Although my prolonged presence in the country and (far from perfect) language skills gained me the label of '*bostranac*' according to one participant,⁹ I was still very much aware that my appearance, speech and gender made me stand out, and inevitably affected the way in which participants perceived me and answered my questions. As Gallagher (2015, 3) observes, though, 'the 'catastrophic' aspects of fieldwork can be the most illuminating as they force researchers into a re-evaluation not only of their conceptions of the 'other' but of themselves too'.

Leaving aside some of the primary sources used as a background or to reconstruct relevant events, interview transcripts are analysed with the aim to reveal local interpretations of socioeconomic justice and its relation to post-war justice in Bosnia and Herzegovina. The analysis involves going 'back and forth' between the text and the interpretation, the words of the interviewees and the broader context, and connecting the meanings and interpretations emerging from the interviews to the broader social power structures, rather than just describing them (Lather 2004). Much of the interview material from Zenica and Prijedor is concerned with experiences and justice claims that derive from them. They also have to do with how people remember socialism and the way in which this affects their understanding of today's world. These experiences, memories and narratives are thus not 'uniquely

⁹ A mix of '*bosanac*', meaning Bosnian, and '*stranac*', foreigner. Interview SA/15/20, activist, Youth Initiative for Human Rights, 16 September 2015.

biographical or autobiographical materials, and they certainly do not convey unmediated private “experience”, but they are constructed and enacted (Atkinson and Delamont 2005, 825). In sum, the interview material is not used to reconstruct an objective account of specific wartime violations (through they contribute to strengthening secondary sources in some cases), but mostly to analyse the way in which people make sense of these experiences and memories, and how they inform local conceptions of justice and justice claims.

Part of the interview analysis thus consisted in reconstructing local interpretations of socioeconomic injustice in war and during the transition process, but also in identifying common understandings of socioeconomic justice and justice claims. Rather than developing specific codes for analysis, the interviews were scrutinised for common themes or broader categories that emerged from the accounts given by research participants. The theory guided the analysis towards experiences of injustice and justice claims that were grounded in the political economy of conflict and had to do with redistribution. Within this general field, the interview material revealed a variety of ways in which local communities experienced socioeconomic injustice, or various ways in which they developed justice claims. At the same time, the analysis was sufficiently open-ended as to allow the emergence of patterns or issues that were not necessarily anticipated. For instance, interviews about experiences of injustice not only revealed that socioeconomic justice was felt during the war and continued in the transition process, but that the meaning of transition itself and its temporal boundaries were much more contested than expected, and definitely went beyond academic definitions focused on the establishment of the rule of law and liberal democratic institutions.

The question of how people in Prijedor and Zenica make sense of socioeconomic justice was particularly challenging, especially in light of the difficulty of expressing one’s own thinking in response to specific prompts, and in a context that is abstracted from the experience of the phenomenon under scrutiny (Autesserre 2014, 275). Thus, in order to meaningfully present conceptions of justice emerging from local communities, the analysis relies on answers to direct questions (for instance, what does justice mean for you?), but complements it with references made, throughout the interview, to ‘egocentric’ (related to one’s own situation) or ‘sociotropic’ (related to how society as a whole is doing justice evaluations (Mutz and

Mondak 1997; Kluegel and Mason 2004). Kluegel and Mason (2004) find that sociotropic evaluations of fairness are particularly important in explaining people's attitudes towards the perceived legitimacy of the new economic and political order in Eastern Europe. Looking at statements that refer to justice in relation to personal circumstances or to how social groups are fair allows us to corroborate findings deriving from answers to direct questions.

Table 2.3 Analysis of interviews with workers and activists

Socioeconomic injustice
• Experiences of war
• Experiences of transition
• Possible overlap/intersection of different forms of injustice
• <i>Emerging category</i> : meaning of transition
Conceptions of justice and justice claims
• Conceptions of justice: socioeconomic justice as redistribution
• Perception of one's situation and justice claims (egocentric and sociotropic evaluations)
• Justice claims: affirmative/transformational; backward-looking/forward-looking
Social mobilisation
• Origins of the protests
• Links between wartime socioeconomic injustice, transition, and protest claims
• Socioeconomic justice claims and forms of mobilisation

2.5 Ethical issues

This section considers research ethics from the point of view of formal procedures and more substantial ethical dilemmas involved in conducting research in post-conflict settings such as Bosnia and Herzegovina. Concerning the first aspect, the research project has taken into account the College Research Ethics Guidelines,¹⁰ and

¹⁰ Royal Holloway, University of London, Research Ethics Guidelines, updated August 2010, available at <https://www.royalholloway.ac.uk/iquad/collegepolicies/documents/pdf/research/researchethicsguidancenotes.pdf>, last accessed 10 December 2016.

sought ethical approval at the Departmental level as appropriate. Participants were informed of the scope of the research. To this end, an information sheet and consent form was redacted in English and Bosnian. Participants were offered the opportunity to remain anonymous in the research. Particular care has been taken in keeping the identity of the citizens from Prijedor and Zenica concealed, and they are referred to in the thesis through pseudonyms (using Bosnian names that reflect their gender). Where information was obtained during conversations or interviews with international officials, this is reported in the text without indicating their specific role.¹¹ Interview files and transcripts were password protected to minimise the risk of strangers gaining access to them. The content of the interviews is generally not of a sensitive nature but, given the occurrence of incidents involving activists in parts of Bosnia, caution is advisable.

Beyond such measures aimed at respecting basic principles of ethical research, doing fieldwork in a post-conflict setting requires a deeper engagement with some questions related to the research site, Bosnia, and the relationship between researcher and participants. The difficulties of conducting research post-war countries have often been discussed by researchers working on Bosnia. Clark (2012b, 825), for example, argues for an approach where 'ethical issues are addressed, discussed, and negotiated in a co-learning environment as the research progresses' and with the involvement of interviewees. Doing research in these contexts raises questions on the legitimacy that non-local researchers have in speaking for local communities (Robben and Nordstrom 1995, 10-11), especially if we consider their presence as a form of Western intervention onto non-Western places (Spivak 1988). Conducting research on the implications of international intervention in Bosnia effectively reproduces some of the problems of the international intervention itself, as researchers work, just like international officials, 'as if they are "the experts" in the field while locals are reduced to being mere observers', leading to an 'over-participation' of internationals' (Stanley 2009b, 278). In the case of Bosnia and Herzegovina, and Sarajevo in particular, I have experienced frustration on the part of

¹¹ Supervisors and examiners are provided with a list of interviewees that includes the names of international officials who participated in the study, which should remain confidential. Direct quotes from them could only be used after seeking permission from their organisation.

the locals for the prominent role played by internationals in researching the country's process of dealing with the past. In many cases, what was noted by interviewees working in the NGO sector in Sarajevo was that foreign researchers were too present. The field of research was somehow 'exhausted', having accommodated many undergraduate students, postgraduate students and more experienced researchers over the years. Worryingly, in many cases NGOs had not seen research results, despite the fact that they might have been potentially useful for their work. Some organisations have admitted refusing interview requests during busy periods, and have established more stringent rules for accessing the organisation.¹² While a large part of my fieldwork was conducted in other cities where this problem was not present, I do think that it is important that researchers make an effort to make participants aware of findings to which they have contributed.

With respect to the relationship between researcher and participants, smaller cities presented more challenges compared to Sarajevo, where international officials, NGO workers and activists are used to the presence of foreign researchers. Power relations are always at play in interview research. It is thus important to take into account how they 'might affect the generation of evidence' and consider 'whether research relationships are likely to be neutral, friendly, professional, or possibly even hostile' (Schwartz-Shea and Yanow 2012, 62). Such relations can be affected by many factors. On the one hand, the presentation of one's self, including gender, age, physical appearance and attire plays a role (Ibid.). On the other hand, the researcher's attitude and personal disposition towards participants, such as feelings of empathy, also plays a role in these relationships. According to Clark, in some difficult research contexts, such as Bosnia, empathy can be a more ethical choice than remaining objective (Clark 2012b, 883-834). My gender and strangeness to the local context in some ways facilitated the access to interviewees,¹³ although they also placed me in a

¹² One interviewee said 'we cannot employ one person just to respond to requests and do interviews' (Interview SA/15/27, Fondacija Lokalne Demokratije, Sarajevo 5 November 2015).

¹³ Although not always: in Prijedor I struggled getting in touch with members of the Serb community. This might be due to the fact that most foreign researchers studying the city have done so from the perspective of interethnic violence perpetrated by the Bosnian Serb police and armed forces, and perhaps assumed this was also the topic of my research. This could have entailed, in their view, a more hostile attitude on my part compared to what Muslim and Croat interviewees would expect.

subordinated social positions in contexts where I could be perceived as a young woman interacting with older Bosnian men, especially when in a group. At the same time, and especially after leaving the field, the researcher has the power of representing and naming people in specific ways, 'the power to designate people, places, and events as mattering, or as mattering in a certain way or, by omission, as not mattering at all' (Daupinhée 2007, 64). This matters for how knowledge of a specific place is constructed in the academic world, where foreign experts on a specific region act as epistemic gatekeepers. It is thus up to researchers to take steps in order to make their research accessible to participants and local communities more in general. This can be done by sending copies of the dissertation, shorter summaries written for practitioners that could be circulated among those who have taken part in the study, or possibly publishing translations of the work in the local language.¹⁴

2.6 Conclusion

This chapter concludes the first part of the thesis, which has laid out the groundwork for the study conducted in the following chapters. It has answered the conceptual and methodological questions raised by the literature review, paying particular attention to the ways in which debates on the role of socioeconomic justice within transitional justice can shape and guide future research. Drawing on the contribution of scholars that have challenged the conventional functions of transitional justice (Lambourne 2009, 2014; Sharp 2012, 2014), and on Fraser's work on the nature of justice claims (1995, 2003, 2005), I have defined socioeconomic justice as redistribution. Justice is thus understood as a multi-faceted concept, and claims emerging from injustices rooted in the political economy of war form part of it. This

¹⁴ Interviewees who dedicate much time to talking with researchers have indeed started asking something back. In most cases, they have requested that I send them copies of my work once this is completed. While they might be put off from reading a whole doctoral dissertation, shorter summaries written for practitioners could be circulated among those who have taken part in the study. In one case, a participant agreed to be interviewed in exchange for either promoting the web page of the organisation he works for, or writing a short article for their website. I agreed and chose the latter option, and decided to write exactly about the ethical issues involved in doing research in Bosnia and Herzegovina. See the Mreža Mira website, 'Some reflections on doing research in Bosnia and Herzegovina, 13 April 2016, <<https://www.mreza-mira.net/vijesti/clanci/reflections-research-bosnia-herzegovina/>>, last accessed 10 December 2016.

conceptualisation of socioeconomic justice engages with the constraints and problems posed by the peculiar condition of Bosnia as a 'post-war' and 'post-socialist' country, which has significant implications for the development of socioeconomic justice claims from the bottom-up. This underscores the importance of looking at the role of the international intervention in Bosnia, and the different ways in which it has shaped the boundaries of post-war justice processes. The first part of the thesis has also noted how justice can be understood as a contested practice, embedded in processes of public deliberation and struggle for the expression of claims originating from marginalised social groups.

The second part of Chapter 2 engages with methodological questions. Starting from a critical approach, the thesis aims at challenging established conceptions of post-war justice, and analysing marginalised aspects of the process of dealing with the past. A case study methodology is particularly useful for providing a rich contextual answer to the research question, as well as furthering our theoretical understanding of the relationship between socioeconomic justice and transitional justice. In order to support this endeavour, the thesis also relies on a sub-national comparison between the cities of Prijedor and Zenica, which represent two different instances of wartime violence, and as a result – as Chapter 4 and 5 will show – interact with the international intervention in the justice field in different ways. The following chapters will also provide an illustration of how the methods of data collection and analysis discussed in this chapter have been used in practice. The methodological part concluded with the discussion of ethical challenges and how they have been addressed.

CHAPTER 3

SOCIOECONOMIC JUSTICE ISSUES BETWEEN TRANSITIONAL JUSTICE AND POST-SOCIALIST REFORM

The thesis is concerned with understanding how post-war societies deal with socioeconomic injustice. As international actors are heavily involved in justice processes in these contexts, Chapter 3 raises the question of how we can make sense of such involvement: what was the role of the international intervention in post-war Bosnia with respect to socioeconomic justice? What place does socioeconomic justice occupy within the transitional justice effort in BiH, and within the intervention in the post-socialist economic reform process? Setting the ground for the following chapter, which will investigate experiences of socioeconomic injustice lived by local communities in Zenica and Prijedor, here we analyse the different ways in which international discourses, transitional justice efforts, and socioeconomic reforms dealt with socioeconomic problems in post-war Bosnia. Discursive limitations in defining, studying and applying justice played a role in the marginalisation of socioeconomic justice, as does the limited approach to the socioeconomic dimension of transitional justice as incorporated in return programmes, reparations, and other aspects of reparative justice. Most importantly, however, economic and social reforms promoted by the international institutions at the end of the conflict were carried out without taking into account justice considerations and thus posed significant obstacles to achieving socioeconomic justice as redistribution. The argument advanced here is that the international intervention was limited in a twofold manner: first, by its narrow understanding of socioeconomic justice; second, by the priorities embedded in post-socialist economic reforms, which left no space for justice considerations.

Chapter 3 addresses some of the concerns raised in Chapter 1 on the insufficient attention paid to the relationship between dealing with past crimes, socioeconomic transformations, and justice issues. Firstly, it addresses the gap

between the transitional justice literature and the study of post-socialist reform by analysing the socioeconomic aspect of transitional justice measures, and by discussing the justice implications of socioeconomic reforms. Second, it draws on the debate on the socioeconomic dimension of transitional justice presented in the literature review to show how transitional justice programmes in Bosnia relied on a more traditional understanding of the socioeconomic dimension of transitional justice as a form of material compensation.

As energies were directed towards retributive transitional justice programmes, international actors gave limited space to socioeconomic remedies for wartime violence. Socioeconomic justice within the international intervention, and transitional justice specifically, focused on addressing consequences of violations against personal integrity, or of forcible displacement. The socioeconomic consequences of the war were instead targeted by internationally-sponsored economic reforms. Far from being understood as justice issues, however, they were seen as problems to be tackled through market liberalisation. In some cases, they might have exacerbated – perhaps unintendedly – some of the socioeconomic justice issues to be discussed in Chapters 4 and 5, or pose problems of *meta-political misrepresentation* where reforms are conducted with little local input or in such a way that limits the potential for organised opposition to the will of international institutions. Overall, the chapter thus gives an indication of how limited the space for the emergence of socioeconomic claims was in post-war Bosnia, given transitional justice's limited reach in the socioeconomic sphere, and the lack of integration between justice considerations and other spheres of the international intervention that were subordinated to economic priorities.

Following a brief discussion of the limited ways in which international organisations working in Bosnia understand the concept of justice, the second section addresses the more specific issue of socioeconomic justice within transitional justice efforts. It reviews programmes related to return, reparations, and missing people, to show how they tapped on the first conceptualisation of the socioeconomic dimension of transitional justice, rather than on the second. It also shows how the implementation of socioeconomic provisions has been haphazard and inconsistent. The third and last substantive section of the chapter moves on to discussing neoliberal reforms and how they did – in different ways – try to respond to socioeconomic

problems. In analysing this issue, this section focuses on macroeconomic policy, privatisations and industrial policy, and labour law and social policy. The conclusion summarises the contribution of this chapter as laying the basis for the following three longer empirical chapters. While this part of the thesis considers where the top-down element of international intervention more carefully and systematically, the remaining empirical chapters (4-6) adopt a grassroots perspective and go to the heart of the thesis' research question by analysing experiences of injustice and conceptions of justice.

3.1 Setting discursive boundaries: international perspectives on justice in BiH

The background of transitional justice efforts in Bosnia and Herzegovina is well known and has been thoroughly researched by scholars over the past two decades. The establishment of the ICTY during the Bosnian war can be interpreted as both an attempt to give the impression that the international community was taking a more active approach towards the conflict, short of military intervention (Gow 1997; Williams and Scharf 2002), as well as the sign that the new paradigm of liberal peacebuilding would include a dimension of accountability for violations of International Humanitarian Law, reflecting a growing international consensus that doing justice would foster peace and reconciliation. The decision to focus transitional justice efforts on individual accountability for war crimes was a product of its time, and part of a broader tendency within transitional justice practices to prefer legalistic solutions (Teitel 2003; McEvoy 2008). Prosecutions at the ICTY and in local tribunals were accompanied by less developed and less funded mechanisms for compensation and restitution, discussed in the following section. In practice, international organizations working in Bosnia and Herzegovina became soon aware of the limitations of an approach focused on retributive justice, and tried to support local authorities in developing a more comprehensive transitional justice strategy. While this attempt ultimately failed, the space occupied by war crimes prosecutions within the transitional justice discourse also led to an increasing specialization of international officials dealing with these issues in BiH, and contributed to creating a compartmentalized view of justice that kept separate transitional justice, the rule of law, and socioeconomic problems.

With respect to the transitional justice strategy, the UNDP coordinated consultations with international stakeholders and a wide range of local actors, including government representatives and civil society actors. The strategy was drafted, but never adopted by the Bosnian government. The document is however useful for understanding the international community's approach to socioeconomic issues within the scope of transitional justice. Most notably, socioeconomic issues within the document are discussed in relation to reparation, which is understood to include compensation, restitution, rehabilitation, different forms of satisfaction and guarantees of non repetition.¹ The working group on reparations and memorials was composed of representatives coming from associations of missing people, veterans, women, former camp detainees, and civilian victims.² While compensation in the form of social transfers are the most common form of reparation for Bosnian victims, and restitution of properties forcibly abandoned during the war was envisaged by the Dayton Peace Agreement, the document calls for an expansion in the scope of action of reparations programmes, for instance by incorporating gender considerations.³ This concern for socioeconomic remedies emerges also from interviews conducted with NGOs working in the field of transitional justice in Sarajevo.⁴ It also identifies problems with legal proceedings on compensation, and with respect to the different treatment of civilian and military victims.⁵ Interestingly, the document also mentions that social expenditures are constrained by international pressures for budget stabilisation, which is linked to international loans granted to Bosnia.⁶ This marginal reference to the context of socioeconomic reforms within which transitional justice mechanisms have to operate seems to weight justice

¹ Strategija Tranzicijske Pravde u Bosni i Hercegovini. 2012-2016. Ministarstvo za ljudska prava i izbjeglice, Ministarstvo pravde, Radni tekst, p. 16.

² Ibid. 117.

³ Ibid. 46.

⁴ NGOs seem to share the internationals' understanding of socioeconomic justice as the remedy provided for crimes that are not necessarily socioeconomic, rather than the view of interviewees from Prijedor and Zenica. When asked more directly about socioeconomic justice issues understood in the sense of this thesis, some NGO activists explicitly gave their own personal opinion rather than the organisation's. See Interviews SA/15/11, SA/15/26, SA/15/27.

⁵ Strategija Tranzicijske Pravde u Bosni i Hercegovini, p. 47.

⁶ Ibid. 47

considerations and economic imperatives, but does not go into further detail in considering the social implications of this.

The limited treatment of socioeconomic issues within the transitional justice strategy is indicative of a broader issue, related to how officials working for international organisations in BiH tend to understand the concept of justice. In most cases, justice is understood as connected to either transitional justice or the rule of law (or both). International organisations operating in Bosnia have long been invested in transitional justice processes, as these were also embedded in the EU conditionality (Rangelov 2006; Batt and Obradović-Wochnik 2009). Supporting the rule of law has increasingly become part of peacebuilding processes, in Bosnia and other post-conflict countries, partly because of its appealing promise of reconstructing the political landscape through seemingly 'technical' reforms (Donais 2013). Within the field of the rule of law, international organisations have assisted in the reform of the police sector (Collantes-Celador 2005; Juncos 2011), as well as judiciary. More recently, anti-corruption has also become a central interest of the EU Mission in BiH and part of the Reform Agenda.⁷ When asked about what are the most important issues related to the concept of justice in post-war Bosnia and Herzegovina, most international officials interviewed for this study mention war crimes prosecutions, both at the ICTY and within the country, as well as transparent and fair judicial proceedings.⁸ Drawing from these understandings of justice makes it more difficult, for many of them, to see the connection between socioeconomic problems and justice issues that becomes evident when talking to those who have a direct experience of wartime violence.⁹ Moreover, there is often a separation of competences between international officials working on the economic reform process and those engaged in the field of transitional justice.¹⁰ The reliance on transitional justice experts

⁷ BiH Anticorruption Strategy 2015-2019. Agencija za prevenciju korupcije i koordinaciju borbe protiv korupcije, Sarajevo, December 2014, available at <<http://rai-see.org/wp-content/uploads/2015/08/Final-ACS-sent-to-the-CoM.pdf>>, accessed 30 September 2016.

⁸ Interview SA/15/1, International official, 30 April 2015, Sarajevo; Interview SA/15/9, International official, 27 May 2015, Sarajevo; Interview SA/15/11, International NGO official, 4 June 2015, Sarajevo; Interview SA/15/14, International official, 5 August 2015, Sarajevo; Interview SA/15/15, International official, 13 August 2015, Sarajevo.

⁹ See for instance Interview SA/15/9.

¹⁰ Interview SA/15/1, interview SA/15/4, International official, 6 May 2015, Sarajevo. See for instance the separation between the sectors of Justice, Home Affairs and Public Administration Reform (Section I), Economic Development, Natural Resources,

trained in the field of IHL and war crimes prosecutions inevitably affects what becomes known and understandable to policy-makers (Autesserre 2014), thus contributing to isolating socioeconomic problems from the concept of justice. This issue becomes particularly evident when analysing cases such as the 2014 protests, during which socioeconomic justice came to the forefront of public debate, but was interpreted by international organisations in terms of economic reforms needed to complete Bosnia's transition to a market economy (see Chapter 6). With respect to the present chapter, this compartmentalised view of justice issues that characterises the operation of international organisations in Bosnia might contribute to reinforcing the problems presented in the following two sections that discuss, in turn, the socioeconomic dimension of transitional justice processes, and socioeconomic reforms carried out in the post-war period.

3.2 The socioeconomic dimension of transitional justice efforts in BiH

This section looks at where and how socioeconomic issues have been incorporated within the transitional justice framework in Bosnia and Herzegovina. The international intervention supported the inclusion of some socioeconomic elements in its programmes, but this was too limited and narrowly focused to contribute to socioeconomic justice as redistribution. Most importantly, these policies reflect a concern with the socioeconomic dimension of transitional justice as the type of remedy required to address crimes and violence that were not necessarily socioeconomic in nature. These remedies were also implemented in a limited way, having only a palliative effect in alleviating socioeconomic injustice. This section illustrates this with reference to the socioeconomic components of reparations, return processes and the search for missing persons.

Infrastructures (Section II) and Social Development, Civil Society and Cross-Border Operations (Section III) in the EU Mission to BiH, at <http://europa.ba/?page_id=468>, accessed 30 September 2016; see the UNDP separation between Justice and Security sector and Social Inclusion and Democratic Governance sector, <http://www.ba.undp.org/content/bosnia_and_herzegovina/en/home/operations/about_undp.html>, accessed 30 September 2016.

3.2.1 *Reparations as war-related payments*

Reparations, defined as ‘compensation, usually of a material kind and often specifically monetary, for some past wrong’ (Torpey 2003, 3), are frequently part of transitional justice efforts in post-conflict and post-authoritarian contexts, and the most explicitly socioeconomic aspect of transitional justice. While reparations can often be awarded through state-run, administrative programmes (de Greiff 2006), this did not happen in Bosnia and Herzegovina. Already during the war, however, victims had tried to get compensation through civil litigation, first outside Bosnia, then inside the country (de Vleming and Clark 2014). These efforts were especially significant for victims because they contributed to establishing accountability for the crimes they suffered and provided acknowledgment, even though the amounts awarded in compensation by the courts were rarely if ever paid to them (de Vleming and Clark 2014). Ad hoc mechanisms also existed in BiH, such as the Commission for Real Property Claims of Displaced Persons and Refugees (CPRC), established by Annex 7 of the Dayton Peace Agreement, whose tasks potentially included the provision of compensation for property that Bosnians had to abandon during the war. The Commission, however, dealt mostly with the restitution of property.¹¹ The Human Rights Chamber, on the other hand, was tasked with guaranteeing the respect of the European Convention on Human Rights (ECHR) in BiH, but its jurisdiction only covered the post-1995 period. The Chamber’s mandate, established at Dayton, ended in 2003, and cases now fall under the competence of Bosnia’s Constitutional Court.¹²

Reparations to civilian victims and veterans of war in BiH are mostly paid out by the two entities and the Brčko district. While the definition of ‘victim’ provided in international documents such as the UN General Assembly’s Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power (UNGA 1985) is wide-ranging and encompasses those who have ‘suffered harm, including physical or mental injury, emotional suffering, economic loss or substantial impairment of their fundamental rights’, Bosnian laws set stringent criteria to be eligible for war-related

¹¹ See the following sub-section on this.

¹² See the web page of the Human Rights Chamber and its successor Human Rights Commission, <www.hrc.ba>, accessed 19 September 2016; see also de Vleming and Clark 2014, 175-179.

payments. Civilian victims must have at least 60% physical disability in order to get access to payments, while veterans need to prove at least 20% (Hronešová 2016, 346; Popić and Panjeta 2010, 7). The amounts payable to veterans are also higher than those granted to civilian victims, thus further showing the discriminatory nature of the system in favour of military personnel at the expense of civilian victims of war.¹³ These payments are disbursed monthly and indexed to the average salary of the entity in the previous year. Given the way in which it works, the scheme has been described as ‘a hybrid of social welfare and reparation’ (Hronešová 2016, 340). International actors have also understood this programme in different ways. Popić and Panjeta (2010, 16) point out that while the IMF and the World Bank label these payments as social transfers or rights-based transfers, the UNDP Transitional Justice Guidebook of 2009 refers to them as compensation, and as a form of reparation.

This discrepancy contributes to highlighting two elements that characterise the practice of reparations as socioeconomic justice in BiH. First, the review of the literature already made a case that the aims of reparations can be multiple (Laplante 2014), and encompass backward-looking and forward-looking elements that can contribute to the reconstruction of society. In the work of some transitional justice scholars, the concept of reparation constitutes the founding element of a different paradigm of post-war justice, one that challenges the dominance of justice as retribution (Mani 2002), favours an inclusive and survivor-centred approach (Mani 2005), and values distributive justice as an essential part of the peacebuilding process (Lambourne 2009). In the case of Bosnia, money is related to justice in multiple ways: it can be understood as a redistribution measure for disadvantaged groups, but also a restorative and corrective measure providing a sense of fairness (Begicevic 2016, 400). Studies such as the one by Hronešová (2016) show that benefits often do not target the poorer strata of the population, and their allocation mostly reflect the post-war transition settlement rather than justice principles.

Second, the way in which the reparation system was set up as a welfare mechanism opens up tensions between the justice aims of these payments and the budget constraints imposed by international financial institutions (IFIs). As Popić and

¹³ Moreover, victims of torture are not entitled to payments unless they can prove they are 60% disabled. Victims of sexual violence are considered civilian victims and do not have to prove their level of disability in the Federation of BiH. See Hronešová 2016.

Panjeta (2010, 19-20) already noted in 2010, the IMF and the World Bank asked for revisions to the payments systems in order to make it economically more sustainable as early as 2002. As Section 3.3 of this chapter shows, these conditions have featured in subsequent loan arrangements and continue to be issues of contention today. Ultimately, the limitations of the reparations scheme as a form of socioeconomic justice are twofold. On the one hand, a collective scheme for reparations that could have settled claims against the state and its entities is lacking, and the current system of war-related payments has been implemented in a way that systematically disempowers civilian victims, thus having a limited redistributive function. On the other hand, reparations in BiH are envisaged as a means of redressing serious physical harm inflicted by the war, and thus fail to encompass the socioeconomic dimension of crimes and violence that characterised the conflict.

3.2.2 Return, reconstruction and the search for missing people

Another important aspect of socioeconomic transitional justice in BiH is what Nettelfield and Wagner (2014, 73) call 'the politics and practice of homecoming', that is, refugee return. This expression suggests that return is a complex process, and clearly one that encompasses an important socioeconomic dimension, going well beyond the right to return to the country of origin at the end of the war. First, return implied the possibility of repossessing one's home. As Bosnians became refugees or internally displaced persons during the conflict, abandoned houses in one entity were often occupied by civilians displaced from other areas of the country. The right to return was enshrined in the Dayton Peace Agreement, Annex VII (Agreement on Refugees and Displaced Persons). Article I of the Agreement stipulated that refugees and displaced persons not only had the right to return to Bosnia, but specifically to 'their homes of origin'. Under the Agreement, refugees had the right to reclaim possession of their property or receive compensation for it. Article VII of Annex VII provided for the establishment of a Commission tasked with adjudicating property claims. The Commission on Real Property Claims of Refugees and Displaced Persons worked from 1996 and 2003, and 'adopted 311 757 final and binding decisions confirming property rights' (CRPC 2003, 4).

Second, as Jansen (2006) points out, the very concept of 'return', for most Bosnian refugees, entailed hopes of returning to other aspects of pre-war socioeconomic life, including employment. This commonly held hope clashed against the practice of return programmes that prioritised 'small home' politics (such as property restitution) over 'big home' politics, defined as 'efforts to normalize the political and socioeconomic structures beyond the confines of private homes' (Stefansson 2006, 116). It also clashed against local authorities' reluctance to accelerate minority returns, that is, the return of people belonging to an ethnicity that was not the largest one in that entity or municipality (for instance, Muslims in Republika Srpska or Serbs in the Federation). Third, return is rarely a straightforward process, fixed in time, and more often a 'dynamic and open-ended' one, which can involve moving between places over extended periods of time (Eastmond 2006), with all that implies for the social and economic situation of refugees and returnees. In many cases, return also involved intermediate steps: after the termination of their asylum in Western Europe, refugees returning to Bosnia could spend several years in another town or entity before they could repossess their homes and thus complete the process of return.¹⁴

If analysed from the theoretical vantage point of this thesis, the return process can be understood as symbolically – and potentially – encompassing elements of justice as recognition, redistribution and political participation. On the one hand, return was meant to redress the legacy of ethnic cleansing (Dahlman and Ó Tuathail 2005), contributing to justice as recognition (drawing on Fraser 1995).¹⁵ On the other hand, return processes could offer a chance of pursuing transformative policies that could challenge the rigid ethnic divisions envisaged by Dayton, by reconstituting a multi-ethnic polity and reintegrating refugees in the socioeconomic environment. The way in which they were implemented, however, limited the potential of return in contributing to these multiple justice goals. International efforts in supporting sustainable employment and access to basic infrastructure and services were, especially in the first post-war years, insufficient. Nettelfield and Wagner's analysis of return in post-war Srebrenica clearly demonstrates the crucial importance of

¹⁴ This is the case for many interviewees: see Interview ZE/15/8, PR/15/4, PR/15/7, PR/15/8, PR/15/15.

¹⁵ See the theoretical framework presented in Chapter 2 for a more complete discussion.

supporting return with appropriate and well-targeted reconstruction aid (Nettelfield and Wagner 2014, see especially 88-96). In cases like Prijedor, where ethnic cleansing was preceded by mass dismissals of non-Serb employees, few efforts were made to reintegrate them in the local socioeconomic environment.

Besides return programmes, the search for missing persons also bears relevance for the socioeconomic dimension of transitional justice in BiH. According to the International Commission for Missing Persons (ICMP), established in 1996, about 31,500 of the 100,000 victims of the Bosnian war were missing persons.¹⁶ The ICMP and local authorities thus faced the enormously challenging task of locating and identifying these victims. This process has several socioeconomic implications. Firstly and most simply, missing people were often male victims, and their disappearance posed important economic difficulties to their families. From the point of view of accessing compensations, families were originally asked to declare their missing dead in order to receive pensions and inheritance benefits they were entitled to (until the Law on Missing Persons changed this), and struggled to get access to compensation from the authorities compared to other categories of civilian victims (Hronešová 2016, 348). Lastly, this is also important within the broader context of socioeconomic elements envisaged by transitional justice efforts and in particular the 2004 Law on Missing Persons. The Law was 'the first such piece of legislation in a post-war country dedicated to missing persons',¹⁷ and mandated the creation of a Central Record on Missing Persons (CEN) that would centralise and verify existing information databases on missing persons. Articles 11 to 17 of the Law covered the right to financial support for the families of missing persons, and article 15 requires the establishment of a 'Fund for Support to the Families of Missing Persons of Bosnia and Herzegovina', 'with the purpose of providing funds and realizing the rights of family members of the missing'.¹⁸ Nevertheless, the Fund has never been established due to disagreements over its location, governance, and sources of funding. Even when the Ministry for Human Rights and Refugees proposed to amend the law so that the Fund could draw from the state budget, the necessary changes were not

¹⁶ See the website of the ICMP, at <<http://www.icmp.int/where-we-work/europe/western-balkans/bosnia-and-herzegovina/>>, accessed 19 September 2016.

¹⁷ Ibid.

¹⁸ Law on Missing Persons, available at <<http://www.icmp.int/wp-content/uploads/2014/08/law-on-missing-persons.pdf>> accessed 19 September 2016.

approved and the Fund failed to materialise (Sarkin et al. 2014, 37). While the search for missing persons can be important for grassroots processes of reconciliation (Clark 2010), and for local processes of redress and social reconstruction (Wagner 2010), it is also a transitional justice process with important socioeconomic implications. As in the case of reparations and returns, the redistributive potential of this process was curbed by its selective implementation.

Overall, this section shows that socioeconomic transitional justice efforts in Bosnia were not entirely absent, but limited in both their conceptualisation and use. They have been narrowed to a particular understanding of what socioeconomic transitional justice might signify: economic redress for having suffered crimes that are not socioeconomic in nature. Part of the argument advanced in this thesis, and illustrated in the next chapter, is that experiences of socioeconomic violence and injustice shape people's understanding of the war and the transition, as well as their conceptions of justice.

3.3 Neoliberalism and the political economy of socioeconomic injustice

After the previous sections showed how the conceptualisation and implementation of transitional justice efforts ended up limiting their socioeconomic potential, here we turn to the role of the international intervention in the sphere of socioeconomic reforms, and how these affected socioeconomic justice as redistribution, a little researched perspective. Neoliberal economic reforms tried to respond to socioeconomic problems, including the outcomes of the war and the post-socialist transition. However, it is argued here that these reforms subordinated justice considerations to economic priorities.

While it is generally accepted that the Dayton Peace Agreement itself was silent on economic issues compared to political and military ones, the preamble of the Constitution (Annex 4 of the Agreement) does express a desire 'to promote the general welfare and economic growth through the protection of private property and the promotion of a market economy'. The Agreement also includes dispositions regarding the establishment of the Central Bank and Bosnia's monetary policy, and provides for the role of international actors in the reconstruction of the country. The international community - in this case especially the European Union, World Bank,

IMF, European Bank for Reconstruction and Development (EBRD), US Agency for International Development (USAID), UN Development Programme (UNDP), OHR and Organisation for Security and Cooperation in Europe (OSCE) – were heavily involved in shaping Bosnia’s new economic system. This section analyses their intervention in some key sectors, such as privatisation and industrial policy, labour laws, and the general conditions placed for supporting Bosnia’s macroeconomic stability. In doing so, it shows that the way in which reforms were implemented, with significant international input, and often contributed to creating the conditions for the continuation of socioeconomic injustice in Bosnia and Herzegovina.

3.3.1 Labour laws and social policy

The international community played an important role in the process of drafting new Labour Laws, which in Bosnia and Herzegovina fall under the competencies of the entities rather than the central state. During socialist times, economic and political arrangements were devised in order to increase employment or allow workers to travel abroad, thus containing social pressures and discontent. The transition of Bosnia from socialism towards market economy required the introduction of a different approach to work and to the relationship between workers and their employers, many of which would now be private rather than public. Reforming labour regulations was also necessary in light of the uncertain status of many workers at the end of the war. Factories had often been destroyed or had ceased production during the conflict, but had not dismissed their personnel. Employees who were not working were usually placed on ‘waiting lists’, while employers were supposed to continue paying their healthcare and pension contributions, but not salaries (European Training Foundation 2006, 38). Very often, such payments were delayed or suspended due to lack of financial resources, leaving the workers deprived from their right to a pension at the end of their working life (Maglajilić and Rašidagić 2011, 22) Overall, reforms in the labour sectors ‘reflect an uneasy compromise between narrow economic rationality and social justice’ (Donais 2005, 123), mostly at the expense of social justice.

The principles inspiring the new labour legislation reflected the international community’s preference for neoliberal arrangements. This firstly entailed the

abandonment of an active approach to employment, whose level would have to be determined by market forces instead. Reform agendas in the early transition years, such as the OHR-sponsored 'Jobs and Justice' programme (Pugh 2006b) clearly stated that 'governments cannot create jobs' (OHR 2004, 6), and that it would be necessary to transform the economy so it becomes capable of creating jobs: 'this does not mean endless government intervention, but instead, allowing the free market to flourish' (Ibid. 5). Supporting the privatisation process and the role of new private actors in the market was thus crucial to increase employment. While this document was signed by the OHR, the PIC¹⁹ and BiH governments at different levels, scholars have doubted the presence of local input in drafting it (Merdzanović 2015, 303). International actors also intended to foster employment growth through microcredit schemes, although institutions such as the EBRD have recently recognised that they are not very effective in this respect (EBRD 2015-16, 42-43; see also Banjeree et al 2015). In practice, employment levels are still very low, and the first employer in the country is still the state – a fact much criticised by the international community. Public sector employees are often referred to, by international officials and policy documents, as a group of 'insiders' to the labour market who, having access to the privilege of permanent contracts, guarantees and union protection, do not want to allow change.²⁰ Such change, coming in the form of a flexibilisation of the labour market and reduction of workers' rights, would increase employment and thus help 'outsiders' to the system, according to international views. However, changes to public sector employment are difficult to achieve without changing the cumbersome administrative structure of Dayton, and because political elites have established and maintain electoral support through public sector hiring.

Second, labour-related reforms tried to resolve the status of workers left hanging in the transition from socialism to capitalism through war. When the new FBiH and RS Labour Laws were approved in 1999 and 2000 respectively, they featured similar provisions that required employers to resolve workers' status within six (in the FBiH) and three (in RS) months of their entry into force. If employees could

¹⁹ Peace Implementation Council. This is the international body tasked with the implementation of the Dayton Peace Agreement.

²⁰ Interview SA/15/2, International official, 5 May 2015, Sarajevo; Interview SA/15/5, International official, 14 May 2015, Sarajevo. See also IMF 2015, 26.

not be reinstated, they were entitled to severance pay, in addition to the already due health and pension contributions.²¹ In practice, surviving companies, many of which had not been privatised yet by the time of these reforms, could not afford such payments, and waiting lists were carried on long after their formal expiration date set by the Laws. According to the European Training Foundation (2006, 37) the cost of severance compensation for all waiting lists employees was estimated at KM 100 million²² by the World Bank. Importantly, the laws did not envisage the possibility of reinstatement or alternative employment for workers who had been fired unjustly during the war, for instance as a result of ethnically-based discrimination. Article 152 of the RS Labour Law stated their right to request severance pay within three months after the law's approval, a right which very few could exercise while still being displaced or in the face of local authorities' hostility.²³ The survival of a category of workers who had legitimate claims to their right to work came to be seen, by the international community, as a legacy of socialism in need of permanent dismantling and reform.

Thirdly, reforms aimed at liberalising the labour market. The first attempts at introducing different forms of employment were already made in the Labour Laws of 1999 and 2000. These envisaged the possibility of having part-time or temporary employment, but limited it temporally, and still granted high maternity benefits and severance compensation based on the length of service and average pay (European Training Foundation 2006).²⁴ A more decisive push towards the liberalisation of the labour market came with the approval of new legislation linked to the Compact for Growth and Jobs and the Reform Agenda, required by international actors for the negotiation of new loans such as the new IMF stand-by arrangement. Trade unions have criticised (and protested against) the new laws, passed in the Federation and RS

²¹ Labour Law of the Federation of BiH, Official Gazette of the Federation of BiH 43/99, Art. 143; Labour Law of Republika Srpska, Official Gazette of Republika Srpska 38/00, Art. 151.

²² Konvertibilna Marka or Convertible Mark (KM) is the currency of Bosnia and Herzegovina. 1 KM = 0.51 EUR.

²³ According to Vaša Prava Prijedor, many of these claims are still pending (Interview PR/15/2).

²⁴ See Art. 136 of the FBiH Law and Art. 34 of the RS Law on temporary contracts, Art. 51-63 (FBiH Law) and Art. 70-79 (RS Law) on maternity, Art. 100 (FBiH Law) and Art. 127 (RS Law) on severance pay.

in 2015, arguing that they reduce workers' rights.²⁵ Much of their criticism focused on changes related to the dismissal of employees, which was one of the key points argued for by the EU and IFIs in the Compact for Growth and Jobs. In the Federation, the limits of time within which an employer can dismiss an employee after a breach of contract is revealed have been extended from fifteen days to up to one year, thus leaving the employee vulnerable to pressures and manipulation on the part of the employer (Art. 100 of the FBiH law; Vaša Prava 2016, 25). Firms with more than 30 employees (as opposed to 15 in the previous law) are not obliged to consult the firms' employees council or the union when intending to dismiss workers for economic, technical and organisational reasons.²⁶ According to Vaša Prava (2016, 27), this leaves a large number of workers deprived of protection against redundancies, given that the economy in BiH is increasingly characterised by the presence of small and medium enterprises. Article 179 of the new RS law, on the other hand, stipulates that an employer can dismiss an employee who breaches his contract by engaging in criminal activities, even when the fact is not investigated by the competent authorities. This leaves the employer in charge of establishing whether a criminal act was committed, not granting the employee the benefit of the doubt (Vaša Prava 2016, 29). More generally, it is likely that the new legislation 'will not improve the material and social status of employees until it is harmonized with all other provisions regulating all of the accompanying rights (provisions on the bankruptcy and liquidation of companies, pension insurance, employment mediation, social protection regulations regarding rights arising from motherhood, other social benefits, etc.)' (Vaša Prava 2016, 40).

²⁵ Labour Law of the Federation of BiH, Official Gazette of the Federation of BiH 26/16; Labour Law of Republika Srpska, Official Gazette of Republika Srpska 1/16. On the protests see: Katarina Panic, *Bosnian Serbs Protest against Labour Reform*, Balkan Insight, 4 May 2015, at <<http://www.balkaninsight.com/en/article/thousands-bosnian-serbs-protest-against-labor-reform>>; Danijel Kovacevic, *Bosnian Serbs Adopt Labour Reform Amid Protests*, Balkan Insight, 29 December 2015, at <<http://www.balkaninsight.com/en/article/tbc-bosnian-serbs-assembly-adopts-key-reform-law-amidst-protests-12-29-2015>>; Elvira M. Jukic, *Thousands Protest Against New Bosnian Labour Law*, Balkan Insight, 30 July 2015, <<http://www.balkaninsight.com/en/article/thousands-bosnia-workers-protests-against-labor-law-reforms>>; all accessed 30 September 2016.

²⁶Art. 109 of the FBiH Law.

These social rights, which should constitute a social security cushion for unemployed people and those unable to work, have also undergone wide ranging, internationally-sponsored reforms in the post-war period.²⁷ Social assistance that was previously administered by the Centres for Social Work became increasingly privatised and decentralised. Bosnia's system became characterised by 'feudalist' trends with competing, ethnically-based claims to authority, and by the presence of non-governmental actors receiving funds to provide social services 'at the expense of promoting good social welfare practice' (Deacon and Stubbs 1998, 110). A large part of the budget for social spending is taken up by war-related payments, which are disbursed on the basis of status rather than being means tested. Partly as a result of this, only 17% of social transfers goes to the 20% poorest part of the population (OSCE 2012). For what concerns employment and pension issues, as noted above, workers on waiting lists were still entitled to pension contributions, but these were often delayed or not paid at all. This situation, coupled with the reduction in the number of contributing workers as a result of the dramatic decrease of employment levels, brought pension funds under great strain in both the FBiH and the RS (Maglajilić and Rašidagić 2011, 20-22). While in the past early retirement and printing money for social spending were used as a tool for limiting these pressures, both options soon became unavailable due to, respectively, OHR decisions modifying pension laws and Bosnia's new currency board arrangement.²⁸ The health system, characterised by universal public coverage during socialist times, was also badly affected by the war, during which 30% of facilities were destroyed, and casualties and migration resulted in the loss of 30% of health staff (Cain 2002, 17). In the aftermath of the war, the healthcare system was decentralised, with the entities (and Brčko District), as well as the cantons in the FBiH, responsible for setting up and managing health funds.²⁹ These are funded through insurance funds and mandatory contributions paid by

²⁷ According to Keil's (2011, 48-49) review, the OSCE was mostly in charge of education reforms and local government, UNDP dealt with infrastructure and housing reconstruction, UNHCR with refugee return and reintegration, while the IMF and World Bank provide financial assistance and the OHR should have a coordination role.

²⁸ See OHR, Decision amending the RS Law on Pension and Disability Insurance, providing for financial feasibility and independence, 11 December 2000, <<http://www.ohr.int/?p=68025>>, accessed 30 September 2016; see Section 3.2 on the currency board.

²⁹ See Cain 2002, 19-23 for an organizational diagram of the health care system in BiH. See also Interview SA/15/5.

employers and employees. The decentralisation of the system, however, resulted in great inequality of access to good-level health care within the country (Maglajilić and Rašidagić 2011, 24-25), and to high costs due to the funds' weakness in negotiating pharmaceutical provisions.³⁰ Social policy in BiH, to sum up, was constrained by the limitations placed by the post-socialist transition, as well as by inefficient and unequal implementation.

3.3.2 *Privatisations and industrial policy*

In 1990, nearly 40% of the Bosnian GDP and 55% of the economic sector was in the industry and mining sectors (Tesche 2000, 315). About 35% of the GDP was produced by 12 large conglomerates alone. The conflict destroyed a large part of the country's industrial facilities, with industry producing at only 5 or 6% of its capacity during the war (Bojicic and Kaldor 1999, 94). It also fragmented the Yugoslav market of which Bosnia had been the 'industrial core' (Hamilton 1964), and created new internal borders that separated different parts of the extractive and energy production sites that would otherwise be connected (Steblez 1998). This is precisely the case of the two cities whose situation is analysed more in detail by this thesis, Prijedor and Zenica, as Prijedor was the main extractive site for the iron ore that was transported to the Zenica steel mill via rail. The international community's approach to privatisation would have determined living conditions for Bosnia's many industrial towns and is one of the most contested elements of the transition process.

The privatisation process in Bosnia and Herzegovina was set up by international organisations, which adopted a model of voucher privatisation that had already been used in Eastern Europe. Vouchers were handed out to citizens on the basis of claims they could bring against the state. Foreign currency savings, for instance, were held at the central bank in Belgrade during Yugoslav times, and were frozen at the beginning of the war (Tesche 2000, 316). Vouchers could also be assigned as compensation for nationalised property,³¹ unpaid salaries for soldiers, and other

³⁰ Interview SA/15/5.

³¹ Property in Yugoslavia was socially owned, and thus had to be nationalised before the state could privatise it. Vouchers were given as compensation for property that would no longer be socially owned, and they could be used to buy shares in privatised firms.

general claims (Jahovic 1999, 91). Vouchers could be used either to buy socially-owned flats in which families used to live before the war, or to acquire shares of privatised companies, often operating through Privatization Investment Funds (PIFs). The use of vouchers also had the goal of creating a group of potential buyers within a socialist society that did not have a class of private entrepreneurs (Donais 2005, 106). The international community was determined to leave market forces in charge of establishing whether large Yugoslav enterprises would restart production or simply close down (Donais 2005, 94), and required these firms be sold before being internally restructured (Stojanov 2001). Privatisation before restructuring and voucher privatisation, in practice, resulted more often in asset stripping than in successful privatisation. The OHR itself admitted in 2004 that in cases where privatisation was mostly done through vouchers and the associated PIFs, such as in Tuzla, the process resulted in widespread failures and closure of facilities (OHR 2004).

Partly as a result of this, and after a series of privatisation scandals that showed how politically well-connected individuals were gaining control of public assets, the international community decided to set aside about 140 strategic enterprises that would not be privatised through the use of vouchers, but through foreign direct investment (Donais 2005, 123). The reliance on FDI meant that, just like employment policy, industrial policy was neglected in the transitional plan for reforming Bosnia. International actors refrained from giving direct financial support to industries, but at the same time the FDI necessary to restart the economic sector was not materialising as quickly as expected. Even when FDI arrived, almost half of these investments went into the services sector rather than production, and about 16% of this in the banking sector alone (Stojanov 2009, 19). Of the EBRD current portfolio in Bosnia, only 4% is in industry, commerce and agribusiness, and out of the 133 projects in which the EBRD has been involved in BiH, only four specifically dealt with manufacturing.³² One of these projects related to ArcelorMittal's purchase of the Zenica Steelworks, which was Bosnia's largest foreign investment since the end of the war, and is often cited as a successful case of privatisation. The EBRD financed,

³² See the EBRD website at <<http://www.ebrd.com/bosnia-and-herzegovina-data.html>> accessed 19 September 2016>, accessed 30 September 2016.

with €25 million, energy efficiency investments and working capital of ArcelorMittal Zenica in 2005. The impact of the project was identified by the Bank as the promotion of industrial restructuring, market expansion (as Mittal was already planning on acquiring the iron ore mines in the Prijedor area), and the promotion of private property ownership.³³ Importantly, the ArcelorMittal investment could show that Bosnia was a good business destination, and thus promote further investment in the country. The case of EBRD support for ArcelorMittal's deal, however, also demonstrates a contradiction in the international approach to industrial policies and privatisation, as the most successful case of FDI, set as example for others to follow, was partly made possible through international help that was generally refused to the industrial sector.

International organisations (including the EBRD, but also USAID and other) were much more active in promoting microcredit schemes for the creation of small private enterprises,³⁴ with the goal of promoting entrepreneurship at the local level and reducing unemployment. The record of microcredit schemes is mixed: some have argued that microcredit loans were often used for consumption and that they were not bringing sustainable business, nor increasing job prospects in deprived parts of Bosnia (Pupavac 2006; Bateman et al. 2012). The international community found it more convenient to shift its approach towards the support of small and medium enterprises, rather than redirecting resources towards the heavy industry sector that required substantial restructuring and investments for the modernisation of facilities and equipment. As Donais (2005, 104) notes, however, the international focus on SMEs is not necessarily 'compatible with the goal of export promotion', as larger firms are better suited to compete on international markets. A number of large public enterprises are still in public hands, and international actors have been disappointed by the slow pace of the process even in the aftermath of the 2015 commitment to the

³³ See the EBRD website at <<http://www.ebrd.com/work-with-us/projects/psd/arcelormittal-zenica-.html>>, accessed 22 September 2016.

³⁴ See the EBRD website at <<http://www.ebrd.com/cs/Satellite?c=Content&cid=1395245312978&pagename=EBRD%2FContent%2FContentLayout>> and <<http://www.ebrd.com/work-with-us/projects/psd/usebrd-sme-procredit-bank-bosnia.html>>, on loans to the Micro Enterprise Bank. See also the USAID website at <<https://www.usaid.gov/bosnia/fact-sheets/usaid-assistance-bosnia-and-herzegovina-1996-2014>>.

Reform Agenda, although the need for additional revenue has pushed Bosnian authorities to accelerate the process lately.

3.3.3 *Macroeconomic policy*

Macroeconomic policy can also have an impact on the condition of Bosnian citizens at the end of the war. International intervention in the aftermath of the war aimed at normalising the situation by providing macroeconomic stability for Bosnia, but this intervention also failed to adequately consider socioeconomic justice issues. International influence over general economic policy in Bosnia is discussed here in relation to international organisations' role in supporting recovery and budgetary stability, and to the Central Bank and currency board arrangement.

Economic growth in the aftermath of the war was impressive, but mostly aid-driven, and did not contribute substantially to reduce unemployment in the country or promote sustainable employment beyond the reconstructive effort. In October 1998, the productive sector employed only 53% of the number of people it did in 1991 (Jahović 1999, 94). During the late Yugoslav period the Republic of BiH ran current account surpluses, but exports dramatically declined in the post-war period (Tesche 2000), due to the dramatic fall in industrial production. The reconstruction-driven recovery lasted well into the new decade, and up until 2007, while BiH had high growth rates, poverty fell thanks to higher levels of consumption and public spending (World Bank 2015). Higher consumption, however, was partly the result of using credit obtained through microcredit schemes or banks for consumption purposes, which improved living standards, rather than for investments that could help sustain future growth and generate employment.³⁵ Public finances had also benefitted from an inflow of tax revenues in the previous years, especially thanks to the introduction of value added tax in 2006 (World Bank 2015, 3), that were partly diverted to excessively expand the public sector.³⁶

As growth rates decreased with the end of reconstruction and the financial crisis, the economic situation started worsening (OHR 2004). With the crisis and the

³⁵ Interview SA/15/5.

³⁶ Interview SA/15/5.

slowing down of fiscal revenues, Bosnian authorities became increasingly reliant on IFI support. Bosnia had already established stand-by arrangements with the IMF in 2002, which were then renegotiated in 2009, 2012 and 2016.³⁷ IMF tranches are paid directly into the country's budgets, and contribute to paying for public services, pensions and salaries. The World Bank and IMF also intervened in the aftermath of the 2014 floods, by providing aid in the form of loans to be used for reconstruction and for improving the country's resilience to meteorological events.³⁸ The conditions attached to the loans commonly include streamlining bureaucratic procedures that discourage business investment,³⁹ privatisations, and a reduction of public expenditure. International organisations have consistently asked Bosnia to reduce the size of its public sector, whose expenditure in 2014 amounted to 41.5% of the GDP (IMF 2015). The bulk of this sum is spent on salaries, with the rest mostly consisting of social transfers (including war-related payments discussed in Section 2; World Bank 2014). As mentioned above, IFIs demand the reduction of these payments that are considered 'subsidies that simply perpetuate the current situation without doing anything to encourage social and economic development' (World Bank 2014, 125), and propose switching from status-based payments to needs-based assessments. It is however legitimate to wonder what impact can further budget cuts have on the most vulnerable categories, at a time when growth and employment levels are still very low.

This brief discussion of Bosnia's reliance on international financial support also highlights the double-edged character of conditionality. On the one hand, international pressures for socioeconomic reform are becoming increasingly coordinated and thus stronger. The current Reform Agenda, for instance, originated as part of the international community's response to the 2014 protests and floods, and involved several international institutions led by the EU in the proposal of a Compact for Growth and Jobs. International financial institutions, such as the IMF and World

³⁷ See the IMF website at <https://www.imf.org/external/np/fin/tad/exfin2.aspx?memberKey1=75&date1key=2016-09-20>, accessed 22 September 2016.

³⁸ Interview SA/15/2. The World Bank gave 100 million dollars in loan to BiH from the remaining IDA funds that the country could access after graduating from the programme.

³⁹ Bosnia occupies the 79th place in the World Bank's Ease of Doing Business rankings, see <http://www.doingbusiness.org/rankings>, accessed 30 September 2016.

Bank, saw a convergence of interests with the European Union, now more concerned with progress in economic and social reform rather than political and institutional matters. For the EU, it was convenient to rely on the IFIs' ability to put pressure on Bosnian institutions as a result of loan conditionality.⁴⁰ The Reform Agenda resulting from the consultations with Bosnian authorities, and which is being used as a benchmark to measure progress towards Bosnia's integration in the EU, is supported by a host of international partners, each leading in a specific sector but with collegial support.⁴¹ On the other hand, IFIs and the EU have an interest in guaranteeing Bosnia's stability, also due to their exposure in the country. Withdrawing support for lack of compliance is thus risky, and local authorities (especially at the entity level, which is mostly responsible for implementing reforms due to the constitutional division of competencies) test the patience of international organisations by dragging their feet and attempting to renegotiate conditions as much as they can. Bosnia thus continues to be increasingly dependent from external financial support, while implementing reforms slowly or incompletely.

Since the Dayton Peace Agreement, the international community has also had a significant influence over financial and monetary matters. Article III of the Constitution assigns responsibility for monetary policy and finances of the institutions to the central BiH government, while Article VII specifies rules regarding the establishment of a Central Bank. During the war, Bosnia had operated with three separate institutions acting as central banks for the territories controlled by different ethnic groups, and with three different currencies (Coats 2003). German Marks were in use in the Bosniak-controlled area of the country. The Dayton agreement provided for unifying the banking system through the creation of a Central Bank, and required that the first Governor of the institutions was appointed by the IMF, and that he could not be a citizen of BiH or of any neighbouring country (Art. VII.2).⁴² Most

⁴⁰ Interviews SA/15/2, SA/15/5 and SA/15/8, International official, 21 May 2015.

⁴¹ See Table 4 in World Bank 2015, 34. For instance, the IMF is the lead partner in the field of 'public finance, taxation, and fiscal sustainability', while the EU leads 'public administration reform', and the World Bank Group tackles reforms in the labour market and welfare system.

⁴² The first two directors of the Central Bank of BiH were Serge Robert and Peter Nicholl. See IMF News Brief: IMF Management Announces the Appointment of Serge Robert as Governor of the Central Bank of Bosnia and Herzegovina, 29 October 1996, <<https://www.imf.org/external/np/sec/nb/1996/nb9611.htm>>; and IMF News Brief: IMF Announces the Appointment of New Governor of the Central Bank of Bosnia and

importantly, the DPA mandated that the Central Bank could not 'extend credit by creating money, operating in this respect as a currency board'. Currency board agreements had been implemented in other transitional countries in Eastern Europe, and IMF officials report that there was no controversy over this disposition with local officials (Coats 2003, 2). Other details of the draft Law on the Central Bank, such as the location and powers of the entity branches, the name of the new currency and the aspect of bank notes were much more controversial (Ibid., 5-6).⁴³ After the approval of the Law, the Central Bank of BiH (CBBH) began operations on 11 August 1997, while the Convertible Mark (KM) started circulating in the following year. The operation of the CBBH as a currency board, with the KM anchored to the German Mark,⁴⁴ meant that the Bank had to keep, according to the Law, full exchange backing for all its KM liabilities, and thus could not print money in order to lend in the domestic market. This measure was adopted in order to provide stability and low inflation at a time when there was 'considerable difficulty in establishing institutions and making political decisions' (OHR 2004). The CBBH thus has virtually no means to conduct monetary policy, for instance in order to reduce unemployment.

This decision also contributed to placing private commercial banks in a crucially important position for promoting investment and economic recovery through lending. The liberalisation of the banking sector was also strongly sponsored and financed by international actors in the aftermath of the war and began with the reform of the payments bureaux that during socialist times was responsible for payments, tax collection, and accounting services, among other things, and whose existence was politically problematic, and prevented the liberalisation of the market (Zaum 2005). International institutions invested heavily to support the private banking sector, especially if compared to the resources assigned to industry and manufacturing. For instance, engagements with financial institutions make up 13% of the EBRD current portfolio in BiH.⁴⁵ Since the immediate post-war period, the

Herzegovina, 31 October 1997, <<https://www.imf.org/en/News/Articles/2015/09/29/18/03/nb9721>>; both accessed 22 September 2016.

⁴³ The currency name 'Convertible Mark' (Konvertibilna Marka, KM) was eventually proposed by a US Treasury official (Coats 2003, 6).

⁴⁴ The KM is now pegged to the Euro.

⁴⁵ See the EBRD website, at <<http://www.ebrd.com/bosnia-and-herzegovina-data.html>>, accessed 30 September 2016.

EBRD has been involved in financing micro- and small- enterprise financial institutions, as well as microcredit programmes hosted by commercial banks. It has also financed the consolidation of young private banks, such as Market Banka, through equity investment in its share capital.⁴⁶ Market Banka was subsequently acquired by the Austrian Raiffeisen Bank in 2000, and became Raiffeisen BANK dd Bosna i Hercegovina in 2003.⁴⁷ The EBRD granted it support through different types of loans in 2003 and 2006, while in 2002 it also financed UPI Banka's (of the Intesa San Paolo group) capital increase.⁴⁸ Commonly, these loans aimed at supporting the liberalisation and strengthening of the banking sector, and to increasing banks' abilities to lend, thus facilitating the development of the SME sector.

The close relationship between IFIs and private banks in supporting Bosnia's stability became evident, lastly, during the financial crisis of 2008-2009. With the losses linked to the crisis, parent banks in Western Europe started withdrawing liquidity from Bosnian branches in 2008. The currency board lost 16% of its reserves between October 2008 and May 2009 (Gedeon 2010, 14). Worried that foreign banks would leave Bosnia to avoid further losses, the Central Bank – supported by IFIs – initially used 'moral suasion' to convince local branches 'to petition the parent for emergency lines of credit' (Ibid., 15). The CBBH also implemented measures to reduce the costs for banks to maintain deposits in the country and to facilitate loans. Given that the Central Bank, under the currency board arrangement, is incapable of becoming a 'lender of last resort', private banks were convinced to assume this role: in February 2009, the IFIs agreed to support the banks with €24.5 billion over two years (in total, for several Eastern European countries) in exchange for the banks' commitment to remain in the region.⁴⁹ Five banks in Bosnia received support through this programme, called the Vienna Initiative (De Haas et al. 2012, 32). The banks also

⁴⁶ See the EBRD website at <<http://www.ebrd.com/work-with-us/projects/psd/raiffeisen-bank-bosnia-f-market-portage-equity.html>>, accessed 22 September 2016.

⁴⁷ See the Raiffeisen Bank website at <<https://raiffeisenbank.ba/eng/menu/view/6>>, accessed 22 September 2016.

⁴⁸ See the EBRD website at <<http://www.ebrd.com/work-with-us/projects/psd/raiffeisen-bank-bh-senior-sme-retail-loan.html>> and <<http://www.ebrd.com/work-with-us/projects/psd/intesa-sanpaolo-banka-bih-f-upi.html>>, accessed 22 September 2016. By 2003, according to the OHR, 92% of banking capital was private, and 72% of this foreign.

⁴⁹ Vienna Initiative, At €33 billion, EBRD, EIB Group, World Bank Group crisis response for banks tops target, <<http://vienna-initiative.com/wp-content/uploads/2012/08/Joint-IFI-1.pdf>>, accessed 22 September 2016.

'won agreements from fiscal authorities to wage controls and other austerity measures to trim domestic fiscal budgets' (Gedeon 2010, 15). The currency board and the relevance awarded to private banks in safeguarding monetary stability, further underscore the international influence and the constraints under which economic policies are conducted in Bosnia and Herzegovina.

3.4 Conclusion

The war put a great strain on the economy of Bosnia and Herzegovina, and on its citizens as a result. While the narrative of the war has usually centred on ethnic cleansing and genocide, the fall of Yugoslavia and the conflict itself shaped far-reaching socioeconomic transformations in the country (Pugh and Cooper 2004). Responding to the need of analysing transitional justice processes in conjunction with socioeconomic reforms that characterised Bosnia's transition, this chapter has provided the general context within which experiences of socioeconomic injustice are developed and interpreted by local communities.

As transitional justice efforts were conceptualised in a way that privileged the point of view of cultural recognition, socioeconomic justice as redistribution was given second place in the consideration of international organisations. Section 3.2 showed that even when transitional justice programmes were devised with economic goals in mind, their flawed implementation did not result in socioeconomic justice. For instance, compensation for civilian victims was organised in the form of social transfers, which are lower and more difficult to obtain than benefits for veterans of the war. The fact that these funds are considered part of social spending rather than a proper reparation mechanism also leaves them vulnerable to the budget cuts requested by international financial institutions. Far from being subject to socioeconomic justice considerations, social policy is increasingly being conducted by Ministries of Finance under IFIs conditions (Deacon, Lendvai and Stubbs 2007).

The influence of IFIs and other international organisations over socioeconomic justice issues becomes even more visible when we consider socioeconomic reforms such as labour laws and privatisations. The impact of these policies is particularly visible when we consider the experiences of individuals and local communities affected by deindustrialisation and growing unemployment. As

Chapter 4 will show, workers who had been displaced during the war could have been put on a waiting list, while their factory's assets were stripped by an ineffective voucher privatisation. Lacking healthcare and pension contributions, the living conditions of these workers' communities had deteriorated, and effectively crystallised the situation of impoverishment and marginalisation they had endured during the conflict itself. Considering the role of such reforms is thus crucial in order to understand how citizens in Prijedor and Zenica suffered injustice, and how they reinterpret the concept of justice in light of their experiences. Chapter 4 turns to this specific context of socioeconomic injustice, during the war and the transition, to show what sort of injustices emerge from the interviewees' accounts that are commonly left outside of the transitional justice realm.

CHAPTER 4

SOCIOECONOMIC INJUSTICE IN WAR AND TRANSITION: THE CASES OF PRIJEDOR AND ZENICA

The overall aim of this chapter is to present the experiences of socioeconomic injustice that constitute the basis for developing justice claims. Here we take a step back from questions of *how* (and to what extent) socioeconomic concerns should be part of the transitional justice framework, to investigate *why* they should, or why the need arises for such a debate to be held in the first place. In other words, the question guiding the chapter is: what experiences of injustice felt on the ground might require the incorporation of socioeconomic grievances in transitional justice approaches? Referring back to the theoretical framework of the thesis, the chapter argues that the analysis of socioeconomic injustice and violence does not actually require an expansion of transitional justice, rather an analytical shift from questions related to *recognition* to questions of *redistribution* (Fraser 1995, 2003). While different types of injustice inevitably overlap in lived experiences, the chapter attempts to disentangle these two dimensions and show the extent to which socioeconomic violence matters in war (and post-war) scenarios. Compared to other situations of economic distress and hardship, socioeconomic injustice in post-conflict societies is particularly problematic. Victims do not have immediate access to remedies or alternative ways of ameliorating their condition, thus leading this situation of injustice to continue well into the transition period. The case of Bosnia is also indicative of how the distress caused by the war might be aggravated by the effects of neoliberal economic restructuring.¹

Chapter 4 argues that experiences of socioeconomic injustice were rooted in the political economy of the war, but that they were also further aggravated, in the perception of the interviewees, by the stark contrast with the socialist past and by the

¹ As presented in Chapter 3 and anticipated by some of the literature on the topic (see especially Miller 2008; Waldorf 2012; Laplante 2014).

dire conditions of the post-socialist transition. This chapter looks at the cases of two medium-sized Bosnian cities, Prijedor and Zenica, and shows that socioeconomic injustice was present during the war and constituted an important part of the war experience in both cities. It also notes one crucial difference between the two: while socioeconomic injustice in Zenica can be primarily interpreted in this lens, the case of Prijedor is more complex. There, interethnic violence intersected and overlapped with socioeconomic injustice. In Prijedor, socioeconomic violence was an essential part of the war strategy of Bosnian Serb elites, which was aimed at the removal of non-Serb population from the region. Identity-based injustice thus overlapped with socioeconomic injustice. The case of Zenica, on the other hand, illustrates how socioeconomic deprivation can take place in ways that are unrelated to interethnic violence, but that also touch on its identity as a workers' city. The cities of Prijedor and Zenica also show how socioeconomic injustice can manifest itself and develop in different temporal phases. While in Prijedor the war represented the dramatic peak of injustice for the non-Serb population, which then suffered from its consequences and lack of redress in the post-war period, in Zenica the injustice begun with the war fully developed through the transition process that led to economic and social marginalisation, and worsening environmental conditions for the city's population. In the latter case, the war represented the prelude to the dismantling of the economic capacity of the town, and to the decline of its industrial identity.

The first section of the chapter analyses the similarities between Prijedor and Zenica, based on data related to their economic and demographic development during socialism, as well as their current, peripheral position in post-war BiH. This section also shows that, from the perspective of interviewees, life in Prijedor and Zenica exhibited similar features during socialism. The second and third section delve right into the key question of this chapter, and illustrate the experiences of socioeconomic injustice of interviewees in the two cities against the background of the war, which affected them differently, and the transition. The Bosnian Serb elites engaged in the ethnic cleansing of the non-Serb population of the Prijedor area, resulting in a mass exodus of refugees and killing of civilians.² Zenica remained

² According to reported figures from the Book of the dead, 3,173 civilians died in Prijedor during the war.

under the control of the Armija BiH for the whole duration of the war, and the most pressing problems were the lack of food and basic necessities. Interviews show that socioeconomic violence featured prominently in the personal experience of local communities in the two cities. The conclusion presents some reflections on the relevance of socioeconomic injustice, and raises questions on conceptions of justice emerging from these contexts, which will be addressed in the following chapter.

The chapter is based on two different sets of sources. Secondary literature, reports from international organisations, international and local NGOs, as well as material produced by development agencies (both local and international) are used to provide a background of the war and the transition in Prijedor and Zenica, with a focus on its socioeconomic dimension. The main argument of the chapter, related to the relevance of socioeconomic injustice in both cities during the war and the transition from a local perspective, is based on the analysis of interviews conducted with citizens of Prijedor and Zenica. In the case of Prijedor, most interviewees belong to the Muslim or Croat community that was marginalised and persecuted during the war. Most of those interviewed in Zenica are former workers of the steel mill, activists in grassroots groups or environmental organisations.

4.1 Commonalities between Prijedor and Zenica

Prijedor and Zenica are similarly sized urban centres that followed a common path to development through heavy industrialisation during the socialist period. Despite being located in different entities, Prijedor (Republika Srpska, RS) and Zenica (Federation of Bosnia and Herzegovina, FBiH) share geographical and demographic characteristics. They both grew from being small countryside towns to typical Yugoslav industrial cities. In the aftermath of the war, they reverted to occupy a similar, marginal position, relatively isolated from the direct influence of the international intervention in BiH and the priorities and interests of international actors.

The interviews show that the two communities have a common outlook towards their life before the war. Stable socioeconomic conditions were a valued feature of life during socialist times, and one that shaped people's perception of what occurred during the ensuing war and transition to capitalism. This section presents

the background against which the different experiences of socioeconomic injustice during the war and the transition process are interpreted by research participants.

4.1.1 Two cities, one path to development

Prijedor and Zenica share demographic and geographical characteristics, as well as a specific path to economic development, based on substantial public investment in the local industrial sector during the socialist period. Located in the northwest of Bosnia, not far from the border with Croatia, Prijedor currently counts 97,588 inhabitants (Institute for Statistics of Republika Srpska 2013). Zenica, on the other hand, lies among the hills and mountains of central Bosnia, and is currently inhabited by 115,134 people (Institute for Statistics of the Federation of Bosnia and Herzegovina 2013). Both cities are crossed by rivers (Sana and Bosna, respectively) and are approximately one hour away from the main city of their entity, Banja Luka and Sarajevo. Zenica has a majority Muslim (or Bosniak) population, but it used to be a mixed urban centre. According to the 1991 Yugoslav census, 15.5% of the population was Croat and 15.4% Serb. Prijedor currently has a majority Serb population, but before the war 43.9% of its citizens were Muslim, 42.3% Serb and 5.6% Croat (Institute for statistics of the Federation of Bosnia and Herzegovina 1993).

Both Prijedor and Zenica developed as industrial centres, with mines and plants opening as early as the end of the XIX century, thanks to Austrian investment at a time when BiH was under the control of the Austro-Hungarian Empire. In Prijedor, the Austrians were responsible for the opening of the iron ore mine. According to a 1994 UN report on Prijedor, 3 million tons a year of iron ore were produced in the mine in the late 1980s. The mine was not only the largest in Yugoslavia, but one of the largest in Europe, and renown for the quality of its products (Greve 1994, Part two, paragraph II, D). The Prijedor Development Agency (PREDA) confirms that the mining and industrial sector in general was the major component of Prijedor's economy. In addition to iron ore, the city was known for the production of paper, textiles, wood and metal.³ Such economic development

³ Interview PR/15/3, Boris Srđić (Prijedor Development Agency, PREDA), Prijedor, July 10th 2015.

effectively turned Prijedor into a ‘typical socialist-era industrial working class town’ (Bose 2007, 15). Compared to Zenica, where the steel mill is located at the edge of the city centre, Prijedor drew on its surroundings in the process of economic development. The most important iron ore mines were located in towns like Ljubija (around 13km from Prijedor) and Omarska (20km). Ljubija, in particular, also hosted the administration of the mining complex before it was moved to Prijedor, in the building that today belongs to ArcelorMittal, near the city hall and police headquarters. At that time Ljubija had its own town hall, a theatre, library, and other amenities. Compared to the mines and industries (such as the ceramics industry) located in its surroundings, the paper mill – which was the second largest employer during socialist times – could be reached with a twenty minutes’ walk from the city centre.

Table 4.1. Basic social and economic data, Prijedor and Zenica

	Prijedor	Zenica
Population (as of 2013)	97,588	115,134
Location	North-Western Bosnia	Central Bosnia
Entity	Republika Srpska	Federation of BiH
Distance from entity capital	55.3 km	69.5 km
Ethnic composition in 1991	43.9% Muslims; 42.3% Serbs; 5.7% Yugoslavs; 5.6% Croats; 2.5% Others	55.2% Muslims; 15.4% Croats; 15.4% Serbs; 10.8% Yugoslavs; 3.1% Others
Ethnic composition in 2013⁴	62.5 Serbs; 32.5% Bosniaks; 1.9% Croats; 1.8% Others; 0.8% not declared; 0.5% no answer.	84% Bosniaks; 7.5% Croats; 5% Others; 2.2% Serbs; 1.2% not declared; 0.1% no answer.
Main industry during socialism	Mining of iron ore	Steel production

⁴ Data from the 2013 Census of Population, Households and Dwellings in Bosnia and Herzegovina, Final Results (Agency for Statistics of Bosnia and Herzegovina, June 2016). The categories given here correspond to the ones used in the census (the category ‘Yugoslav’ is not in use anymore; ‘Bosniak’ broadly corresponds to ‘Muslim’). The census results were published in 2016 after long delays and political disputes over the methods used to count citizens as residents of one entity.

Zenica followed a similar path. Steel production had been initiated in 1892, when the town only counted about 2,000 inhabitants. Following Austrian investment in the construction of the steel plant and the development of railways from the Croatian border to Zenica (Malcolm 2002, 141), the city started to grow. In 1941, its population had risen to 12,500 citizens. The real boom, however, only occurred in the aftermath of the Second World War when the new socialist government approved the reconstruction and modernisation of the steel plant (Željezara) as part of its first five-year industrialisation plan (Avdić 2013, 72-73). People moved from all over Yugoslavia to work in the steel plant in Zenica. The city grew exponentially in size and population into a 'boom town', as portrayed in the 1961 Yugoslav film bearing that name (Bulajić 1961). Previously a small agrarian village, the population of Zenica reached 33.240 in 1953, and about 60.000 in 1964 (Avdić 2013, 57 and 78).

The influx of workers had to be met by a significant infrastructural investment. Workers who had been hosted in temporary accommodation were moved to newly built apartment blocks that still characterise the city's landscape today. These buildings were often built very close to the steel mill, and many of the entrances of the industrial complex are within a short walking distance from the city centre. In order to maximise the number of people that could be hosted in the city, entire families were often assigned to live in very small studio flats. In addition to residential housing, roads, bridges, schools, libraries, a new theatre, a cinema, hotel, swimming pool and new canalisation system were built (Avdić 2013, 73).⁵ A branch of the University of Sarajevo, offering studies in metallurgy, was established in Zenica in 1961 in order to provide skilled workers and engineers to the factory. It was therefore thanks to the steel plant that Zenica became a proper city, by size and any other social standard. As discussed in the following sections, this created a special economic and emotional connection between the Željezara and Zenica's citizens, one that is crucial in order to understand feelings of injustice among the local population.

As a result of their development, people in Prijedor and Zenica were mostly employed in the industrial sector. In Zenica, the Željezara was an 'industrial giant with over 20,000 employees' (Slavnić et al. 2013, 41). Overall, 22,370 people were

⁵ According to several interviewees, it was at this time that the oldest Ottoman houses of the city centre were destroyed to make space for high-rise complexes. There is only one well-preserved Ottoman house in the city centre of Zenica.

employed in the industry and mining sector in the Zenica municipality in 1990 (UK DfID 2002b, 51). According to different estimates, including ones from the Prijedor Development Agency PREDA, the mining company RŽR (*Rudnik i Željezne Rude*, mining and iron ore) Ljubija was the biggest employer in the Prijedor area (approximately 5,000 people), followed by the paper mill company CELPAK that had about 3,000 workers.⁶ It is worth noting, moreover, that a close connection existed between the Prijedor mine and the Željezara in Zenica. Iron ore extracted in Prijedor was transported to Zenica to be processed and turned into steel. During socialism, RŽR Ljubija and the steel plant were also formally linked through RMK Zenica (*Rudarski-Metalurški Kombinat*, mining and metallurgic industrial complex) (Krčkovski, nd). Workers from both Prijedor and Zenica could also spend their summer holidays at hotel Zenit, built by RMK and RŽR in the Bosnian maritime town of Neum.

4.1.2 Prijedor and Zenica in transition

Similar by size and type of development, Zenica and Prijedor experienced the war in very different ways. Local perceptions of the war from the perspective of the socioeconomic injustice and violence will be discussed in depth in section 4.2. While socioeconomic injustices related to the transition process also differ (see the forthcoming section 4.3), Zenica and Prijedor have also been sharing some problems or concerns during the post-war period. After having enjoyed similar privileges in the socialist period, the two cities reverted to occupy similar positions in the post-war system, especially if we take into account their relationship to the international intervention and – once again – economic development.

As argued in previous chapters, the international intervention in Bosnia and Herzegovina has been far-reaching and comprehensive, going from peace- and state-building to processes of transitional justice and economic reform. The effects of such intervention are clearly visible everywhere in BiH, and engrained in its institutional and political setup. However, Bosnian cities other than Sarajevo have remained quite peripheral to the international intervention in some respects. First, international

⁶ Interview PR/15/3.

organisations are based in Sarajevo. While some do have small field offices in other cities, Prijedor and Zenica are not their chosen locations. Zenica is not far from Sarajevo, and therefore not out of reach for officials based in the capital. Similarly, the EU Delegation, UNDP, and OSCE have regional offices in Banja Luka, which is one hour away from Prijedor. Some international organisations have also been scaling down their presence in BiH. The OSCE, for instance, used to have up to fifteen field offices, which are now reduced to eight. Only in 2014, following the floods, the Organisation decided to open up temporary branches in other locations, including Prijedor (OSCE 2014).⁷ Prijedor and Zenica are mostly left out of the social and economic benefits brought by the presence of international organisations and large well-funded NGOs. There is a visible economic disparity between Sarajevo and smaller Bosnian cities like the ones here considered.

Second, in addition to such peripheral position in the post-war international intervention, Prijedor and Zenica share similar socioeconomic transformations. While many of those who left during the war came back, especially towards the end of the 1990s, others did not. At the same time, people arrived from other towns and parts of Bosnia, changing the social fabric of the cities.⁸ The fall of the industries that had enriched Zenica and Prijedor during the socialist period also hit both cities hard. During the war and in its immediate aftermath, many companies had stopped working and were waiting to be privatised. The intervention of international institutions and the interests of local elites left Bosnia and Herzegovina unable to formulate a proper macroeconomic and industrial policy, partly as a result of the conditions applied by the World Bank and IMF, and the industrial and production sector was described to be in a 'state of deconstruction' (Stojanov 2001, 45). With regard to steel industry in particular, it has been argued that the lack of financial means and the privatisation process 'implied the absence of a strategic state capacity to restructure the steel industry in Bosnia and Herzegovina in general, and the Zenica steel works in particular' (Slavnić et al. 2013, 42). It was believed that companies should be sold first, and then restructured (Čausević 2001, 73), but this often led to

⁷ According to an OSCE official, the office was still open at the time of the fieldwork in summer 2015, but it was not possible to verify this.

⁸ Interview PR/15/3.

companies being sold for less than their value, and to asset-stripping (UK DfID 2002a, 17).

The privatisation of the cities' main industries, the iron ore mine in Prijedor and the steel plant in Zenica, also led to similar outcomes. The same multinational corporation, Mittal Steel, bought part of RŽR Ljubija and restarted the production at the Omarska mine in 2004, and also acquired the Željezara in Zenica, where the privatisation agreement was signed in 2004. The company, which became ArcelorMittal after its merger with Arcelor in 2006, grew by acquiring for low prices companies that were 'state-owned, badly managed and in acute need for restructuring' (Slavnić et al. 2013, 37), and is now the first producer of steel in the world. In both towns, the privatisation led to a significant reduction in the workforce. ArcelorMittal currently employs 733 workers in Prijedor (ArcelorMittal nd), down from 5.000 before the war. Mittal did not buy the Ljubija mine, which has not been operating since the war. This accelerated dramatically the decline of the town, which had already started after the RŽR headquarters transferred from Ljubija to Prijedor. Ljubija is now a crumbling small village, part of Prijedor's municipality, and hosting only very basic services: a post office, pharmacy and the bus station. Most residents do not work, and local organisations from Prijedor and Ljubija operate a soup kitchen for the most indigent citizens.⁹ In Zenica, according to data from the environmental NGO Eko forum, ArcelorMittal had 2.950 employees as of 2011, compared to the 20.000 who used to work for RMK in the 1980s.¹⁰ The restarting of industrial production in Zenica, albeit with a reduced workforce, has also brought back high levels of air pollution in the city.¹¹

⁹ Interview PR/15/1 and PR/15/9, Sladjana Milijević, Associazione Progetto Prijedor.

¹⁰ The number of workers employed today is said to be lower by a few hundred units compared to the 2011 figure.

¹¹ A problem that does not affect Prijedor, due to the less polluting nature of mining compared to steel production. See the recent investigation by Peter Geoghegan and Nidžara Ahmetašević, "Zenica, Bosnia: Where Even Taking a Breath Can Be a Struggle", The Guardian, 14 February 2017, available at:

<<https://www.theguardian.com/cities/2017/feb/14/arcelor-mittal-failing-emissions-air-pollution-zenica-bosnia>>, accessed 22 February 2017.

4.1.3 *'We had our Germany right here': life during socialism*

As the previous paragraphs show, Zenica and Prijedor were representative of medium-sized, industrial Bosnian cities, which developed thanks to investments made in their industries by the socialist government. Their urban setting can be compared to that of other cities across BiH, such as Tuzla or Mostar. Living in a city gave people the possibility to enjoy services and standards of living significantly different from those of the countryside, and to avoid unemployment and poverty. Interviews with research participants in both Prijedor and Zenica show a similar outlook on life conditions during the socialist period. In addition to providing a further point of contact between the two cases, people's perception of their life during socialism is important in order to understand their experience of injustice during the war, and expectations for the post war period (Jansen 2006). The fact that such memories of the past do not necessarily correspond to the reality of social conditions during socialism (see Archer 2014 on social inequality in Yugoslavia) does not necessarily affect people's perception of what elements of the 'old' system they valued most and would have liked to see reproduced in the current system. The two most prominent features emerging from the interviews are related to interethnic relations and social security and stability.

Interviews with research participants from both cities highlight that life during socialism was considered peaceful and relatively prosperous. Social peace was often understood in terms of harmonious coexistence between different ethnic groups or nationalities (and thus as a form of justice as recognition in Fraser's terms). A 57 year-old woman from Prijedor, Suada, stated that during socialism they were 'taught how to be all equal'.¹² Nefisa concurred: 'there was no problem among Serbs, Croats and Muslim. There was no conflict, we socialised, without regard for religion. (...) We were all like one, during socialism.'¹³ Not only were religious differences not the source of animosity, but they were often overcome in socialising with neighbours. Mediha, from Zenica, says: 'I was always a Muslim. I went to the mosque, my neighbour went to church, we always drank coffee together.'¹⁴ Other interviewees, such as Sanja from Prijedor, speak of interethnic marriages: 'I am catholic, my

¹² Interview PR/15/4, worker for Prijedor (Suada), 12 July 2015.

¹³ Interview PR/15/13, worker from Prijedor (Nefisa), July 19th 2015.

¹⁴ Interview PR/15/14, worker from Zenica (Mediha), 1 August 2015.

husband is orthodox, but we respect each other'.¹⁵ According to Ines, such differences were played down by the socialist system: 'I can freely say that that system was human, organised and better. Why? Because I had friends for which I could not even say what nation they belonged to, because that did not matter'.¹⁶ People, it is often said during interviews, lived 'normally', and did not expect the war to break out. Jasna felt that in her family there was no hatred against anyone until the war began: 'we did not believe that the war would never happen. You know when you live normally with your neighbours...'.¹⁷ Maja also stressed how the war really came as a surprise: 'We really were all like brothers¹⁸ and we thought that no one could change that'.¹⁹ A UN report on Prijedor from 1994 provides further evidence of this: 'many people have stated that it never occurred to them that serious difficulties between ethnic groups – not to say war – ever could happen in the area. None have said the opposite' (Greve, 1994, part two, paragraph II, B). While such feelings might be common among the population of industrial cities such as Zenica and Prijedor, scholars have noted that the situation in rural areas with respect to interethnic relations might have differed significantly, even during socialist times (Bose 2007, 14).

Sharing a workplace was an important part of a peaceful interethnic coexistence. Work had traditionally occupied a special place in Yugoslav official rhetoric, and workers had represented the backbone of society. A second element conducive to understanding people's satisfaction with life in Zenica and Prijedor before the war was thus the good standard of living enjoyed by workers. Two issues should specifically be highlighted here: job security, and social assistance in a range of issues, not least in recreational activities. First, interviewees report, from their personal experiences, how they moved swiftly from education to employment. This held true both for those who completed specialised high schools and those graduating from universities. Belma, for instance, explains how she completed the *Ekonomska Škola* (Economics high school) and, shortly thereafter, found a job at the

¹⁵ Interview PR/15/11, worker from Prijedor (Sanja), 16 July 2015.

¹⁶ Interview ZE/15/7, worker from Zenica (Ines), 29 June 2015.

¹⁷ Interview PR/15/12, worker from Prijedor (Jasna), 16 July 2015.

¹⁸ This is a specific reference to the Yugoslav motto 'Bratstvo i jedinstvo' (Brotherhood and unity), which was meant to unite all Yugoslav citizens regardless of national affiliation.

¹⁹ Interview PR/15/7, worker from Prijedor (Maja) 14 July 2015.

Prijedor branch of the bank Privredna Banka Sarajevo.²⁰ Jasna and Suada also graduated in the economics school and were employed in the administration of RŽR, in their central offices in Prijedor.²¹ Sakib, also from Prijedor, studied metallurgy in Zenica, and was immediately employed by RŽR upon graduating. Most importantly, as mentioned by many interviewees, these were considered ‘secure’ jobs. This element of security is mentioned specifically when interviewees attempt to qualify their statements of satisfaction with their pre-war conditions, often explicitly using the terms ‘secure’ and ‘security’. Maja, from Prijedor, says that ‘salaries were not high, but you had security, that you will get the salaries, that you will be able to go to the seaside on holiday...’.²² The same opinion was expressed by Velid and Nihada in Zenica: ‘we had security, it was a safe employment to be working at the steel plant. We had a good salary, it was not that high, it was not a luxury, but it allowed you to live well and have everything you needed’; ‘the steel plant was the most secure company, the biggest company you could work for’²³. While workers admit that salaries were not high in absolute terms, social equality, guaranteed rights, and the absence of extreme poverty compensated for that. Within this context, it was not just the war, but also the post-socialist economic transformation brought about a form of precarity that people never experienced before (Baker 2012).

With respect to social assistance, interviewees emphasise the good standard of other social services. Interviewees felt that this was an important aspect of their quality of life. According to Jakub, ‘we [citizens of Zenica] were privileged and recognised as workers and as citizens. For instance, when I got surgery in 1983, they told me I was entitled to leave and thermal treatment paid by the company’.²⁴ People in both cities also mention free and equitable access to education, also thanks to bursaries that were often sponsored by those companies interested in hiring young and qualified workers. Suada, for instance praises the system for granting her and her brothers scholarships to study, despite her family’s good economic status as small

²⁰ Interview PR/15/15, worker from Prijedor (Belma), 19 July 2015.

²¹ Interview PR/15/4; Interview PR/15/12.

²² Interview PR/15/8, worker from Prijedor (Sakib), 14 July 2015; Interview PR/15/7.

²³ Interview ZE/15/17, worker from Zenica (Nihada), 11 August 2015; Interview ZE/15/18, worker from Zenica (Velid), 11 August 2015.

²⁴ Interview ZE/15/9, worker from Zenica (Jakub), 30 June 2015.

private entrepreneurs (her father owned a car repair shop).²⁵ The interviews also show that recreation and holidays were also part of people's definition of a good quality of life. Without differences between the two cities, interviewees mention the possibility to travel and go on vacation at subsidised hotels and resorts on the Adriatic coast (or the mountains) as one of the greatest privileges enjoyed by workers and their families. Yugoslav authorities thought that holidays were beneficial for the physical and mental wellbeing of workers, and therefore, helped enhance productivity (Duda 2010). Suada sums up this feeling of satisfaction with life: 'We had our jobs, our salaries, we had our peace, and a beautiful, beautiful life. And we... my generation (from 1954), we mourn those times (...) I did not need Germany, we had our Germany right here'.²⁶

This section has shown that Zenica and Prijedor can be compared by social and economic characteristics, economic development and their marginalisation in the post-war system. However, it is also important to emphasise that the perceptions and accounts of life during socialism expressed by the interviewees in the two cities also share important elements. First, interviewees did not experience problems in relation to interethnic coexistence, and report having good relations with friends and neighbours of different backgrounds. Second, local communities in Prijedor and Zenica were said to enjoy social security and stability, guaranteed by good employment opportunities offered by the industry sector and its satellite activities. Such social elements, analysed from the perspective of the interviewees, are important in order to understand how they experienced and perceived socioeconomic injustice during the war and the transition. While studies have shown that the 1980s were characterised by increasing social mobilisation throughout Yugoslavia as a result of economic decline (Lowinger 2009), in the eyes of the interviewees serious difficulties and injustice only arose with the war and the ensuing transition. Most importantly, their expectations for the post-war period involved the stability and security they had appreciated during socialism.

²⁵ Interview PR/15/4.

²⁶ Interview PR/15/4.

4.2 Socioeconomic injustice and violence during the war

Experiences of socioeconomic injustice and violence were common during the war in BiH. Important differences in how the conflict unfolded in Prijedor and Zenica, however, transpire from the interviewee accounts. Crucially for this project, socioeconomic injustice characterised both, but occurred in conjunction with interethnic violence in Prijedor, where socioeconomic discrimination was pursued on the basis of ethnicity against Bosnian Muslims and Croats. This was part of a broader strategy conducive, together with persecution and killing, to the ethnic cleansing of the area from non-Serbs. Experiences of socioeconomic injustice recounted by interviewees from Prijedor's Muslim and Croat (or, more generally, mixed) community are directly linked to this. Workers interviewed in Zenica do not recount experiences of injustice or nonrecognition on the basis of ethnicity, and focus on economic violence in the form of deprivation and marginalisation. In these accounts it becomes apparent how economic violence, referring to 'violations of economic and social rights, corruption, and plunder of natural resources', is 'typically more indirect' compared to physical violence (Sharp 2014, 5). While making experiences of socioeconomic injustice in both cities finally 'visible' (Miller 2008), this section emphasises their differences, and most importantly the overlap between socioeconomic and cultural injustice in Prijedor that Zenica lacks. This will prove especially important when examining the emergence of justice claims in Chapter 5.

4.2.1 The socioeconomic consequences of the war

The war in Bosnia and Herzegovina brought destruction and death all over the country. In addition to the tragic death toll and the direct impact on civilian victims, the socioeconomic consequences of the war also led to dramatic transformations. Physical damages were accompanied by the definitive end of a system and the emergence of a new one, led by a new elite that gained economic and political influence through the conflict itself. Externally, such dramatic change in Bosnia's conditions was visible in the destruction of infrastructures, civilian dwellings and industries. According to a 2004 World Bank report, the war damaged about two thirds of houses in BiH, and destroyed one fifth of them; destroyed at least 30% of the

hospitals and about 45% of industrial facilities; and caused industrial production to fall to 5% of the pre-war levels (World Bank 2004, 1).

Secondly, and importantly for this research, the war marked the end of a system that would not exist anymore, a complete overhaul of the social and economic aspects of life for everyone in the country. Yugoslavia had already started a process of socioeconomic reform in the 1980s, which had led to the approval of austerity measures, increased social dissent and protests, and the first attempts to reform property rights and introduce privatisation (Woodward 1995a; Unkovski-Korica 2015). The war, however, came to play a crucial role. On the one hand, it interrupted the gradual reform process, while on the other it dramatically brought to completion parts of it, including the transfer of ownership from public to private hands (see Donais 2002). It has been pointed out, for instance, that there is a complex and interdependent relationship between the war and the development of criminal activities in BiH. The conflict offered the possibility to acquire wealth quickly through illegal means such as smuggling, and this then 'contributed to the criminalization of the state and economy in the postwar period' (Andreas 2004, 44). The new elites that acquired economic means and political power during the war were subsequently best placed to further increase it once the conflict was over, for instance by taking advantage of the privatisation process (Pugh 2002; Andreas 2004). Moreover, the war broke social and economic links in what was before a shared Yugoslav space. One of the consequences of this, particularly important for Zenica and Prijedor, was that Bosnia, and especially its regions that had been chosen to be the 'industrial core' of Yugoslavia (Hamilton 1964, 47, 57), lost this function in the much reduced BiH state. The socioeconomic impact of the war, therefore, was not limited to destruction and the destruction of livelihoods. The secure and orderly life of the socialist system was irremediably overthrown, although it persisted in the interviewees' memories, providing a measure of contrast with the reality of post-socialism. Experiences of injustice suffered by local communities in Prijedor and Zenica should therefore be understood against such background. The following two sections discuss how the local population lived through these events in the two cities, and what concrete forms of socioeconomic injustice characterise their accounts of the war period.

4.2.2 The white armband and beyond: socioeconomic injustice in Prijedor

Experiences of socioeconomic injustice in Prijedor are related to the direct use of violence and actively pursued policies of discrimination on the part of the Bosnian Serb military and political elites who came to power in 1992. The war in Prijedor was violent and bloody, and socioeconomic discrimination and persecution were an integral part of the war strategy. The ultimate aim of such strategy was the removal of non-Serbs from the Prijedor territory, in order to facilitate its integration within a Serb-dominated area spanning from Bosnia to the bordering region of the Croatian Krajina (Greve 1994). Prijedor has been called an 'ethnic cleansing laboratory' for the rest of Bosnia (Wesselingh and Vaulerin 2005), due to the extent of the violence and the systematic removal of the local Muslim and Croat population, which was well under way already in 1992. The high number of civilian victims, including women and children, makes the Prijedor events one of the worst chapters of the war in Bosnia and Herzegovina.

The situation had been deteriorating since the 1990 elections that brought nationalist parties to power in the municipality, and even more since hostilities in Croatia started in 1991, spilling over to the region of Bosanska Krajina, where Prijedor is located. Already in 1991, Bosnian Serb elites started holding meetings of an alternative, Serb, municipal assembly and organising a parallel administration and police force. Other preparations, including taking control of television broadcasts and the local radio, creating road blocks and severing links to Sarajevo, culminated in the takeover of power on April 30, 1992 by the self-proclaimed 'Crisis Staff of the Serb municipality of Prijedor' (Greve 1994, see especially part one, paragraphs III and IX, and part two, paragraphs IV and V). After that moment, the living conditions of Muslims and Croats in Prijedor significantly deteriorated. Over the following months, the notorious prison camps of Trnopolje, Omarska (where the main iron ore mine was located), Keraterm, and Manjača were opened. Non-Serb civilians (both men and women) were taken there arbitrarily and exposed to harsh conditions and killings. Crimes committed in the Prijedor municipality have been the subject of numerous ICTY and national investigations, resulting in a number of convictions for war crimes and crimes against humanity, including the recent judgment on the case

of Radovan Karadžić.²⁷ The interviews conducted in Prijedor shift the focus on socioeconomic injustice as an especially important yet understudied part of the general experience of violence and victimisation brought about by the war. At the same time, they show that this form of injustice was carried out in conjunction with or against the background of interethnic violence that later constituted the main focus of transitional justice mechanisms adopted in the former Yugoslavia.

The first, most cited, form of socioeconomic injustice suffered by non-Serbs in Prijedor was the exclusion from the socioeconomic life of the town, which came in the form of dismissal from their jobs. Formerly a place of coexistence and shared life among the different Prijedor communities, the workplace came to represent injustice along socioeconomic and ethnic lines. As the UN report notes, in the spring of 1992 'most non-Serbs were dismissed from their jobs, be it police, public officials, or even manual workers' (Greve 1994, part one, paragraph IV). This was the first step of a campaign that would culminate with the ethnic cleansing of the town, which was to be accomplished through persecution and killings. The accounts of research participants stress how being fired represented the first form of discrimination and injustice they personally felt, following which everything changed. Suada used to work for the administration of RŽR Ljubija, Prijedor's mining company. She worked until May 1992, until the Crisis Staff took power, and 'and then us Bosniaks - even though we never called ourselves Bosniaks, we were Yugoslavs, and loved our Yugoslavia - got fired. First we were put on hold for one month, and then fired (...). We were all fired, my brother, my sister-in-law, all of my friends, all colleagues who were Bosniaks or Croats. In May 1992.'²⁸ She subsequently had to abandon her house and flee with her daughter to Croatia first, and then Germany. Nefisa, a nurse, was one of the few Muslims to stay in Prijedor throughout the war, in order to take care of her mother, while many of her family members left. She remembers that one day the situation started to change and people began to hang out in groups at the hospital, separated by nationality. Nefisa recalls that they put up a list on the door at the Prijedor Hospital, and 'who was on the list had to go. Who was on the list never came

²⁷ The Karadžić judgement can be accessed here: <<http://www.icty.org/case/karadzic/>>. For an overview of crimes in Prijedor, see the ICTY resources linked to their interactive map, at <<http://www.icty.org/en/cases/interactive-map>>; and the OSCE map of war crimes cases, available at <<http://www.osce.org/bih/118901>>; last accessed 22 February 2017.

²⁸ Interview PR/15/4.

back to work. One by one people were put on the list, but I never was.' Probably because of lack of medical personnel, she continued to work even after the fighting started, despite her fears. One day her boss sent an ambulance driver to her home to advise her not to come to work, because the military was going to take her to the camp in Omarska if she showed up.²⁹ She stayed home, and could never go back again. Belma, who started working for a small firm in Kozarac (a small town in the Prijedor municipality) in 1991, also lost her job in 1992, along with her husband who was then working for another Prijedor firm. One day they called her from Kozarac and told her not to go to work, because the military was in the town. 'Then I stayed' she says, 'and I didn't ever see anyone anymore. (...) Part of the workers of my firm died in the camps.'³⁰ Other interviewees provided accounts of how they were fired on the basis of their ethnic belonging, subsequently imprisoned in the camps for some time and then forced to leave town, such as Mersad, who had worked for eight years at the Meso Promet firm before being fired 'because I was a Muslim'.³¹ Sakib says that, after being expelled from Prijedor, he moved to Zenica, where he was temporarily employed at RMK thanks to connections he had there, dating back to when he was a university student at Zenica's faculty of metallurgy. He later had to move to Sanski Most, and could only go back to Prijedor towards the end of the 1990s.³² The policy of firing non-Serbs also hit those of mixed backgrounds, or who chose not to declare themselves as Serbs. Maja, daughter of a Serb man and a Muslim woman, got fired from her job in the administration of a high school because she married a Muslim man. She also had to leave Prijedor later on.³³

Being fired from the workplace, for no other reason than nationality, was the most prominent example of socioeconomic injustice suffered during the war, but not the only one. Economic hardship and social exclusion were also common. In addition to the loss of income related to dismissals, non-Serbs were also prevented from travelling freely and intimidated to give up any weapons (including those held for hunting). Telephone lines for non-Serbs were cut off. Nefisa remembers that, 'since telephones in Muslim homes were cut off, the doctor said that if he needed to tell me

²⁹ Interview PR/15/13.

³⁰ Interview PR/15/15.

³¹ Interview PR/15/16, worker from Prijedor (Mersad), 19 July 2015.

³² Interviewee PR/15/8.

³³ Interview PR/15/7.

anything from the hospital he would send an ambulance driver at my place'. One night, when she was supposed to work a night shift, he came and warned her to stay home. When the war started, she says, 'we went home' and lived almost hidden until the end of the war.³⁴ Curfews were introduced, and at some point Muslims were also asked to wear white armbands when walking on the streets. Civilian homes and religious buildings also became a specific target, and were often razed. In May 1992, for instance, in retaliation for a failed armed attack by an informal group of non-Serb militants, Bosnian Serb forces destroyed the Old Town of Prijedor, which was mostly inhabited by Muslims, and intimidated people to leave (Greve 1994; see especially part one, paragraphs IV, V and VIII). Those who had left their homes intact often found them occupied by other families at the end of the war. Suada, Sakib and Maja had their homes occupied by Serb families until the end of the war, and Suada laments the loss of valuables and of her parent's memories that were taken away and never returned after she got her house back. The city underwent a thorough cleansing. Serb media sources cited in the UN report estimated that by June 1993 the Muslim population in the municipality was reduced by 43,330 people, which meant that virtually everyone who could leave (and was not killed) had done so (Greve 1994, part one, paragraph II).

From such accounts, it becomes clear that instances of injustice related to socioeconomic issues were felt deeply by the Muslim, Croat, and mixed community in Prijedor during the war. Far from being separated from their overall experience of the conflict, they appear connected to the other forms of violence including persecution, deportation and having to flee the city or country as refugees. Cultural and socioeconomic injustice overlap, and are difficult to disentangle from one another (Fraser 2009). While the workplace had represented an important part of their inclusion in society, and of their identity as workers during socialism, it was also the first to be damaged by the politics of exclusion enacted by Bosnian Serb elites in order to ethnically cleanse the area. The interviews show that experiences of socioeconomic injustice were an important part of the victimisation and violence suffered by the Muslim and Croat community in Prijedor. Their discrimination and persecution goes against the transitional justice and peacebuilding goals of rebuilding an inclusive

³⁴ Interview PR/15/13.

society. As the following section will discuss, however, the experience of socioeconomic justice protracted itself into the transition period.

4.2.3 Endangered jobs and livelihoods in Zenica

Differently from Prijedor, experiences of socioeconomic injustice described by interviewees do not overlap with interethnic violence and cultural injustice in Zenica, and have more to do with the deprivation and social marginalisation brought about by the war and in particular by the management of the steel plant during this period. The war in Zenica unfolded in a very different way compared to Prijedor. The city was under the control of the Bosniak forces throughout the duration of the conflict, but was shelled by the Croat HVO (Hrvatsko Vijeće Obrane, Croatian Defence Council). Moreover, fighting in close-by areas in central Bosnia was fierce and violent against the civilian population. While the city was not at the centre of such fighting, 'the war brings misery, grief, hunger, killings, and wounding to everyone', as one interviewee said.³⁵ Economic violence in Zenica shaped people's experience of the war, and constitutes an important basis for understanding the development of justice claims related to redistribution, analysed in Chapter 5.

Traumatic experiences of socioeconomic injustice were related to the loss of employment in Zenica, most notably in the steel plant that almost ceased production during the conflict. During the war only half of the employees remained in the plant, and production 'was scaled down significantly, the primary objective being to preserve and protect the plant's facilities' (Slavnić et al. 2013, 42). The effects of this downsizing would be visible later on as well, as 'the coke plant and blast furnaces remained closed for almost ten years', and production was only restarted in 2004 (Ibid.). Interviewees in Zenica describe the process of reduction of the production and workforce that began with the war. Jakub laments that 'the chimneys were shut off and stayed abandoned for four years in the sun, wind and rain', 'when the war started a majority of people went to defend the country, and only a few technicians stayed on the shop floor'.³⁶ He was put on leave and subsequently also went to the

³⁵ Interview ZE/15/2, worker from Zenica (Zineta), 4 June 2015.

³⁶ Interview ZE/15/9.

army. Many workers were enlisted in the military and were sent to the frontlines. Josip, for instance, continued working in the plant, only to leave when they started calling him to the army in 1995. He says that life at the factory during the war 'was not good, there were people who always had work, and others who worked, in one year, two months, three months, one month, or none at all. They only worked when they were called'.³⁷ Those working in the administration of Željezara also had to rotate, Zineta says, 'so that everyone could receive some money to live on'.³⁸ Josip complained that, even if you worked, compensation was not guaranteed or on time. An additional source of distress was caused by the termination of employment contracts. Zineta points out that when the war broke out people were getting fired for different reasons, such as not reporting to the factory for a certain period of time. According to her and other interviewees who used to work in the steel plants administration, if someone did not report back to the factory by the deadline and was not in the military, he or she had to take sick leave, and after being absent for two months workers were dismissed. Mediha, for instance, was fired after failing to report to the plant. She was given the responsibility to take the extended family's children away from the war, to Croatia, and stopped reporting to Željezara when the trip back to Zenica became too dangerous. Zineta says that often this was done in an unjust way: 'there was a woman who was the aide to the director (...), and because our offices had been bombed we had to sit in the same offices of the directorate. She calls me on the phone and says, Zineta, today you will report this and this person.' Zineta answered that she would never do that unless it was a written instruction from her superior: 'I would never authorise an injustice at work, because I cannot stand that someone tomorrow will say Zineta fired me, Zineta reported me'. She says: 'a person needs to have basic means to survive, why did they not bother to leave their citizens their right to work?'.³⁹

Experiences of socioeconomic injustice in Zenica were also related to the scarcity of food and lack of other basic necessities. From Zijad's perspective 'to the workers from the steel plant the war brought great poverty and great misery. They

³⁷ Interview ZE/15/8, worker from Zenica (Josip), 30 June 2015.

³⁸ Interview ZE/15/2.

³⁹ Interview ZE/15/2.

didn't have anything. There was no money, every now and then a food parcel'.⁴⁰ Zineta recalls that working at the factory during the war was terrible, and that they did not have anything to eat. They were often given only a soup made up of water and cabbage, and a small piece of bread: 'I had nothing to give to my children at home, to Senad who was 5 and Emir who was 8 years old. My husband was on the frontlines (...) but I didn't get anything from the Armija BiH either. Only once I remember getting some flour, one kilogram of coffee and a bit of oil'. The only luck they had in Blatuša (a borough of Zenica) was that they had water, thanks to their proximity to the steel plant. Access to humanitarian aid was also difficult. She ironically recalls her mother, who had survived the Second World War, saying 'God forbids the Red Cross feeds us', and then, Zineta says, even 'the Red Cross didn't feed me'.⁴¹

Experiences of socioeconomic injustice in Zenica, therefore, are linked to extreme deprivation and social marginalisation, rather than being part of a broader war strategy for the removal of a specific group of the population. Feelings of injustice draw on socioeconomic concerns rather than cultural ones linked to ethnic relations. The impact of such experiences, as evidenced by the distress caused by remembering these events during interviews, was however profound. This can surely be understood if we contrast this state of deprivation with the city's conditions during socialism. The situation of conflict and general insecurity prevented Zenica's citizens from finding any form of redress, or ameliorating their situation in general. The end of the war, however, did not bring relief, but brought to completion the decline of the city and of its industrial complex. As discussed in the following pages, this furthered feelings of socioeconomic injustice among interviewees.

4.3 After the war: transition or the continuation of injustice?

While war itself makes redressing socioeconomic injustice impossible for a prolonged period of time, experiences of socioeconomic injustice were not just limited to the conflict. In Prijedor and Zenica, injustices that originated with the war continued or

⁴⁰ Interview ZE/15/5, worker from Zenica (Zijad), 11 August 2015.

⁴¹ Interview ZE/15/2 and ZE/15/3 (Zineta, 8 June 2015).

were aggravated in its aftermath. In the interviewees' minds, however, the concept of transition itself becomes blurred with the war and the period before the war. It does not coincide with definitions focusing on the temporal gap between one political regime and another (O'Donnell and Schmitter 1986), or on the consolidation of democratic institutions (Linz and Stepan 1996). The case of the former Yugoslavia is complicated by the multiple transition processes at play (Kostovicova and Bojijc-Dzelilovic 2013), and conceptual and temporal demarcations are irregular and not fixed in the minds of interviewees.

Just like the war, however, the transition also had a different impact on the experience of socioeconomic injustice in Prijedor and Zenica. Interviewees from Zenica, whose case figures more prominently in this section, stress that the privatisation of the steel plant entailed the dismantling of the main source of economic development of the city, as well as a loss of identity for its inhabitants. The case of Zenica shows that experiences of socioeconomic injustice that originated from deprivation during the war fully developed during the transition. Feelings of marginalisation became entrenched, and the environmental conditions of the town worsened significantly. In Prijedor, interviews show that the experience of socioeconomic injustice continued after the war, given the impossibility of regaining employment, due to a hostile attitude from the RS authorities (the continuation of cultural injustice) and to the deindustrialisation that characterised the transition process.

4.3.1 Transition in the eyes of locals

Trying to disentangle experiences of injustice related to the war and the transition is quite challenging, because the perspective of interviewees on what transition means might fundamentally differ from that of academics and policy makers. This section analyses the meaning of transition according to research participants from Prijedor and Zenica, and supports two main claims. First, there is no clear demarcation line between the war and the transition, either temporally or conceptually. Second, the transition is often seen as comprehensive change, one that takes place in people's attitudes and beliefs as much as in economic and political reforms.

According to interviewees, the temporal dimension of the transition in Bosnia and Herzegovina is extremely fuzzy. One important element that emerges from local views is that there are diverging opinions about when the transition started, and significant overlaps with the time of the war. While there are some who point to the signing of the Dayton Peace Agreement in 1995 as the beginning of the transition process, such as Belma from Prijedor, many others identify the starting point during the war or before it. One commonly held view is that the economic crisis in the 1970s, the reform process that followed it and the establishment of closer links with international financial institutions, before the war, initiated the transition process. Engineer Sakib highlights the role of the last Yugoslav President, Marković, in starting the privatisation process that he considers the cornerstone of the transition. This view is shared by the Director of the Zenica Development Agency ZEDA. Looking more at the impact on their personal conditions, Jasna said that 'the transition started when the crisis began. That was in 1987, when I was working in my firm and the strikes began'.⁴² If we consider the transition primarily as a process of economic reform, it is definitely true that important changes were already under way when the war started. As Unkovski-Korica points out, the IMF granted its biggest loan so far to Yugoslavia in 1981, with the attached conditionality that led to the approval of austerity measures that had significant social consequences (Unkovski-Korica 2015, 39). This implies that a complete separation of the experiences of socioeconomic injustice suffered by local communities in BiH during the war or the transition is not possible, and that analysing the former without the latter would only depict a partial picture.

The account of the temporal dimension of the transition is further complicated by questions related to whether such process have even started or will ever start, echoing some of the new scholarship critical of the teleological nature of the concept of transition.⁴³ Mersad, from Prijedor, says that transition in BiH 'will never be', because Bosniaks cannot fully participate in society. He adds that in Republika Srpska it is impossible to even get a job as a cleaner without connections to a political party. Transition, he says, involves one's participation in the system, and this is

⁴² Interview PR/15/12, worker from Prijedor (Jasna), 16 July 2015.

⁴³ Štiks and Horvat (2015), for instance, compare the transition to a 'desert'.

lacking. Ines, from Zenica, concurs that a real transition did not occur in BiH in the same way as in East European countries such as the Czech Republic or Poland. Other interviewees note that a process of change has started, but on the 'wrong path'.⁴⁴

The second element that emerges from interviewees' accounts is related to the meaning of transition, which goes beyond the reforms carried out to transform the political and economic system. Such transformation affected, although in an unfinished and imperfect way, ways of living, thinking and behaving. The beginning of the transition itself is related to how people 'started to change' before the war.⁴⁵ Belma says that transition involved 'moving from a cuddled and dormant life to capitalism', and that, while society finds itself dealing with this new system, 'with our minds we are still in socialism somewhere'.⁴⁶ Fatima also argues that the lack of a real, gradual process of reform left them no time to adapt, so that people still think through old, inadequate frameworks.⁴⁷ Other interviewees also point to the difficulty of adapting to the dramatic changes brought about by capitalism, as Jadranko says, or to how that involved changing from being 'a-national types' to 'extremely national types'.⁴⁸ The transition is also negatively characterised as moving, involuntarily, from stability to chaos, from having an established system to being unable to fully introduce a new one, therefore leading to complete disorganisation, as both Nefisa from Prijedor and Zineta from Zenica point out. Research participants also highlight that elites took advantage of the transition to enrich themselves and were responsible for injustices occurred and for BiH taking the wrong path to reforms. As we can see, in the eyes of the interviewees the transition represented a process of deep social change, one that is more far-reaching, blurred and imperfect compared to how we would define it by looking at the political and economic reforms introduced in Bosnia after the war. In light of this composite and complex definition of the transition process from the perspective of local communities, the need to address the continuation of injustice from the war to the post-war period appears even clearer.

⁴⁴ Interview PR/15/10, activist from Ljubija (Sanela) 15 July 2015.

⁴⁵ Interviewee PR/15/17, worker from Prijedor (Samir), 19 July 2015.

⁴⁶ Interviewee PR/15/15.

⁴⁷ Interview ZE/15/15, worker from Zenica (Fatima), 2 August 2015.

⁴⁸ Interview PR/15/17.

4.3.2 Loss of jobs, status and health in Zenica

The transition did not lead to an alleviation of socioeconomic injustice in Zenica. Instead, the period following the war is crucial in order to understand the emergence of justice claims related to redistribution, which will be analysed in Chapter 5. The decline and privatisation of the steel plant was the primary cause of social grievances: while seemingly disconnected from the conflict, this process was actually only made possible by the conflict itself. Contrary to other Eastern European countries, and despite the reform process already initiated in the 1980s (Lavigne 1995; Donais 2005), it was the war that brought state socialism to an end in Bosnia and Herzegovina (Gilbert 2006). As already noted in section 2.1, the political economy of the war influenced the way in which the post-war economic system was reconstructed (Pugh 2002; Andreas 2004). Privatisation was conducted at the entity level, contributing to the further fragmentation of the economic space of BiH, and to privatisation along ethnic lines, where the dominant ethnic group would also control economic processes in their area (Stojanov 2001, 55). In the FBiH, many of the employees who were on waiting lists at the end of the war would not be able to get the severance pay they were entitled to by law because employers could no longer afford it (Čausević 2001, 78). Lastly, 'external attempts to regulate welfare regimes in B-H (...) contributed to a diminution of the importance of social rights and social policy as a whole' (Stubbs 2001, 95), with particularly dramatic results in post-industrial towns that had lost their primary source of revenue and employment. Socioeconomic injustice in Zenica during the transition was thus felt primarily in conjunction with the decline and privatisation of the steel plant, leading to the crystallisation of social marginalisation and deprivation that had already been experienced during the war. It also brought a strong loss of identity, albeit one related to class rather than ethnicity.

The economic impact of the fall of Željezara on the city was very notable. The workforce employed in the steel sector was reduced to one tenth of the approximately 20.000 it had before the war, even though the privatisation contract signed by Mittal included an obligation to keep at least 4,514 workers (Slavnić et al. 2013, 43). As one report for the UK Department for International Development points out, 'Although the town did not suffer from significant physical damage during the recent war it lost its markets for most of its products. The continuous steel processing plant ceased to operate and there were major cutbacks in the mining of coal, metallurgy and textiles

industries' (UK DfID 2002a, 16). The fall of the steel plant was not accompanied by the opening of new economic possibilities (foreign investments, expected by the international community, largely failed to materialise in BiH), and thus the economic situation of the city deteriorated substantially compared to the pre-war period. Interviewees reflect these feelings of decline and loss of status and rights. They felt that the situation started to change already during the war, but the transition brought such processes to completion, and allowed 'capitalism to arrive', 'little by little' until Mittal acquired control of the steel plant.⁴⁹ The temporary closure and restructuring of the plant deepened the sense of injustice already felt during the war. Josip complains about the workforce reduction: 'from that transition the workers did not get anything. When the new bosses arrived they just said "I need this amount of people and the rest can get severance pay"'. He adds that even those who managed to keep their post suffer from long working hours and low salaries.⁵⁰ Zijad, on the other hand, says that ArcelorMittal is a good employer and that salaries are higher than before, although the standard of life of employees has worsened. RMK, he claims, employed more than twice the people it needed during socialism.⁵¹ Jakub, who had worked on the factory's shop floor, ended up working as a guardian after being on a waiting list for 11 years. He now works for the part of the steel plant that has not been privatised, which only employs a few hundred people.⁵²

The economic hardship that had characterised the war turned into a chronic condition of deprivation and marginalisation during the transition. According to data from the Institute for Statistics of the Federation of Bosnia and Herzegovina (2015), only about 24,000 out of 127,000 citizens in Zenica are formally employed.⁵³ One interviewee says that the sale of Željezara left the citizens of Zenica 'in hunger and misery'. During the war, it was easy for her to explain to their children that they could not eat because there was no food for anyone, but once the war was over and supplies became available she had no money to buy them. Due to an injury, she expected to

⁴⁹ Interview ZE/15/9; Interview ZE/15/8.

⁵⁰ Interview ZE/15/8.

⁵¹ Interview ZE/15/5.

⁵² Interviewee ZE/15/9.

⁵³ If we exclude people aged under 14 and above 65, still according to the Institute's data, this amounts to less than 30% of the working age population of the city. It should be noted, however, that employment in the grey economy is quite common in BiH.

be reassigned to a less demanding post in the steel plant after the war, but after being 'on hold' for several years she was offered a disability pension.⁵⁴ Such difficulties are still present even for those who are still employed in the steel sector. When he met me for the interview in June 2015, Jakub was waiting to receive the first half of his February salary to be paid on the following day: in his company 'they got to a very ugly situation' whereby, he claims, he risks being dismissed if he complains to the director.⁵⁵ Families where both parents lost their jobs struggled, and were left without proper support from the state, as were those receiving minimal pensions.⁵⁶ If a pensioner earns 326KM per month and the consumer basket for one person is 480KM,⁵⁷ 'how can one pensioner as a single person survive?' asks Zineta.⁵⁸ Attempts to look for employment in other sectors are also fraught with difficulties and injustice, according to participants who denounce the need to have links to political parties in order to stand a chance of getting a job.⁵⁹ Dismissals from jobs, loss of social and economic rights, and marginalisation from economic life were thus still very much present during the transition period, and constitute an important element for understanding experiences of socioeconomic injustice in Zenica.

Heavy pollution is a second element that compromises the socioeconomic wellbeing of the city's inhabitants. Steel production causes high emissions of sulphur dioxide (SO₂), which causes long-term respiratory problems (UK Health Protection Agency 2010), and particulate matter (PM10). Being 'small enough to be inhaled into the deepest parts of the lung', these particles are particularly dangerous for health (UK Department for Environment, Food and Rural affairs, nd). The tension between the right to health and the right to work, posed by the very existence of the steel plant (Picheca 2014), emerges clearly from the interviews. On the one hand, interviewees complain about the situation, and believe that the pollution has gotten worse since the plant restarted working under Mittal's management. On the other hand, they hope that new factories will open to compensate for the loss of jobs due to the

⁵⁴ Interview ZE/15/2.

⁵⁵ Interview ZE/15/9.

⁵⁶ Interview ZE/15/7

⁵⁷ The Bosnian currency is the Bosnian Convertible Mark (*Konvertibilna Marka*, KM). 1 KM = 0.51 EUR.

⁵⁸ Interview ZE/15/9, Zineta was present at Jakub's interview session.

⁵⁹ Interview ZE/15/15, worker from Prijedor (Dina), 2 August 2015; Interview ZE/15/14.

privatisation.⁶⁰ The NGO Eko forum Zenica was established in 2008 as a result of the growing concerns for the health of the city's population once the steel plant was privatised and the integral steel production restarted. According to their data, while since restarting the steel plant has only reached around 40% of pre-war production, pollution has reached 75% of 1980s levels. Levels of SO₂ and PM10 in the air have been growing, and are constantly above the legal limit, since 2004. In 2015, the annual average concentration of PM10 in Zenica was 120 µg/m³. As a form of comparison, the legal limit set by the EU is 40 µg/m³. A daily concentration of 50 µg/m³ should not be allowed for more than 35 days in a year (European Commission 2015). Eko forum also highlights that the emissions of SO₂ of other factories owned by ArcelorMittal in Europe are much lower despite producing more.

The authorities' response to environmental concerns has been quite weak in the post-war period.⁶¹ At first, Eko forum struggled to establish itself in Zenica. One of its founders says: 'we definitely spent two or three years convincing people that we do not want to shut down the steel mill, rather [we want] that it works according to the agreements just like it does in every other country'.⁶² Once the pollution problem became apparent to all, and reached a dangerous peak, mass protests finally took place in 2012. The city then installed an air monitoring system, and a display was set up on a tall building in the centre of Zenica showing the concentration of SO₂. Socioeconomic injustice in the form of environmental damage, such as in this case, is indicative of the relevance of 'second-order' questions of representation, or how justice claims are adjudicated (Fraser 2005). In post-war BiH, the scope for collective participation, especially in economic decision-making, is limited by the ethnicised and layered institutional system and constrained by the boundaries of neoliberal restructuring of the economy sponsored by international actors.⁶³ According to Eko forum, the reason why international organisations are not providing much support

⁶⁰ Interview ZE/15/2 and 3; Interview ZE/15/8; Interview ZE/15/17.

⁶¹ The fact that levels of air pollution were staggeringly high throughout the 1980s and until the war shows that socialist authorities were not much preoccupied with addressing the problem either.

⁶² Interview ZE/15/10, President of Eko forum Zenica, 1 July 2015.

⁶³ At a meeting organised by the EU Delegation in Istočno Sarajevo on the Compact for Growth and Jobs in 2016, a senior international official said it was not informed about the pollution problem in Zenica in conjunction with the operation of the steel plant in response to a question from the public.

to NGOs working on the problem of air pollution is that this is not a priority for Western countries anymore. Having solved these issues during the 1970s, they do not see air pollution as an environmental priority, despite having provided funding to Eko forum for a project on chemical water pollution.⁶⁴ Air pollution and the consequences that derive for the health of the citizens and the environment, therefore, constitutes an important facet of socioeconomic and political injustice related to the transition process in Zenica.

Lastly, the effects of socioeconomic injustice linked to the fall of the steel plant go beyond material problems, and tap into feelings of identity linked to working class belonging. While it is clear that the different market conditions at the end of the war could not allow the factory to continue its work at the same levels as before (UK DfID 2002b), such change had a profound impact that went much beyond the economic sphere. The industrial character of the city had been its very *raison d'être*, and citizens of Zenica identified with it, often feeling part of the working class before ethnically affiliated to one of Bosnia's constituent nations (Croats, Bosniaks and Serbs).⁶⁵ The sale of Željezara for only a small fraction of its value is often mentioned by interviewees as the source of much discontent, which is targeted at the political elites of the post-war period who profited from privatisations.⁶⁶ In the opinion of one interviewee, deindustrialisation has led to a paradoxical situation: while every engineer graduate from anywhere in the world aspires to work in a big private company, in Bosnia they would like to work in the public sector, since there is no industrial production anymore. He further points out that the public sector has even physically occupied places of production: the government of the Zenica-Doboj Canton now resides in the RMK building.⁶⁷ Interviews show that the restructuring of the steel industry and consequent loss of jobs also led to the loss of a working class identity for Zenica's citizens, who turned into pensioners, unemployed (or informally employed), or left. Once proud of their contribution to Yugoslavia (Zineta remembers

⁶⁴ Interview ZE/15/10.

⁶⁵ The predominantly Muslim ethnic group is referred to as Bosniak in the constitution drafted at the end of the war.

⁶⁶ Interview ZE/15/2; Interview ZE/15/9; Interview ZE/15/7; Interinterview ZE/15/17; Interview ZE/15/11, writer from Zenica (Senad), 1 July 2015.

⁶⁷ Interview ZE/15/11 28. This is not the only example in BiH. The building of the salt company SODASO in Tuzla also became the office of the Cantonal government, until it was burned and damaged during the February 2014 protests.

how they even gave part of their salaries to fund the Sarajevo Winter Olympic Games in 1984),⁶⁸ Zenica's citizens seem to believe that working class identity represented positive values, especially if contrasted with the sort of national identity that politicians talk about, because it conveys a sense of multiculturalism and tolerance, but are now convinced the working class does not exist anymore in their city.⁶⁹ While cultural injustice related to interethnic violence was not a prominent feature of the interviewee's accounts, experiences of *misrecognition* were still present, and linked to the working class identity of the city instead.⁷⁰

As we can see from the bleak accounts of Zenica's citizens, the transition process further engulfed the city into a condition of socioeconomic injustice and deep loss. Zenica itself, as a post-industrial city, became marginalised. The feelings of injustice analysed in this section are crucial in order to understand the emergence of justice claims discussed in Chapter 5. For now, however, this chapter turns to the issue of socioeconomic injustice in Prijedor during the transition.

4.3.3 *The continuation of social exclusion in Prijedor*

Just like in Zenica, the aftermath of the conflict did not entail the end of socioeconomic injustice in Prijedor either. As noted above, the vast majority of the city's non-Serb population became displaced during the war. When return programmes started, they involved the restitution of property, but limited attention and funding was directed towards income-generating activities (Black 2001; Haider 2009). In Prijedor specifically, displaced persons began returning towards the end of the 1990s, at a time when international agencies still advised against doing so due to fears of backlash on the part of nationalist extremists (Belloni 2005). Returning 'home' implied, in the minds of many Bosnians, a return to a 'normal life' in addition to

⁶⁸ They were promised filters for the steel plant in return, which she said were never built.

⁶⁹ Interview ZE/15/7; Interview ZE/15/9; Interview ZE/15/11.

⁷⁰ Several participants have explained the increasing disconnection that people feel between the city of Zenica and the steel mill with reference to a rumour: they said that the steel mill now mostly employs workers who do not live in Zenica, because some years ago ArcelorMittal complained that workers could not reach the plant after roads leading to the city were blocked by the snow. Its plausibility is definitely questionable, but the rumour can be taken as an indication that people's perception of the working class identity of Zenica, once strongly attached to the Željezara, is in decline.

regaining possession of one's house or flat. Such 'normal life', in turn, 'included health care, education, social welfare and – particularly – stable employment' (Jansen 2006, 191). The impossibility of being reinstated in their own places of work was further aggravated by the lack of economic opportunities characterising the post-war period, due to the deindustrialisation of the area. Lastly, this marginalisation seems to be linked, once again, to problems of political *representation* (Fraser 2005), as Muslims and Croats in the RS feel marginalised from the political as well as socioeconomic life of the town.

Workers who were dismissed in 1992 were not reinstated once the conflict was over. It took years for most to regain possession of their homes, but once back in Prijedor their positions in the companies they worked for were no longer available for them. Suada had fled to Germany, but once she was asked to leave she had to move temporarily to Sanski Most, a town not far from Prijedor, but located in the Federation of BiH and not in the RS.⁷¹ Once she could move back into her home, however, she could not go back to work. She says that they were told they were not needed anymore and that there was not enough work at Rudnik Ljubija for them to be employed.⁷² Nefisa did not get her job back at the Prijedor Hospital, and suggests that none of her Muslim colleagues did.⁷³ Sakib, who managed to find employment for a short period in Prijedor, was hired for a lower grade post than what would have matched his qualifications and experience as an engineer.⁷⁴ Maja, who had been dismissed despite being partly Serb, tried to get her position back at the *Elektrotehnička Škola* (a specialised high school), but her request was refused. She was told that 'they wouldn't go back to those times' before the war.⁷⁵ Like many other returnees, she subsequently found a job in Sanski Most and travels there daily. Other displaced persons from Prijedor did not come back after the war, or did so for a few years only to emigrate again later on.⁷⁶

⁷¹ This was a common experience for displaced people from Prijedor. See Belloni (2005) and Jansen (2006).

⁷² Interviewee PR/15/4.

⁷³ Interview PR/15/13.

⁷⁴ Interview PR/15/8.

⁷⁵ Interviewee PR/15/7.

⁷⁶ Interview PR/15/8; Interview PR/15/15; Interview PR/15/17.

Economic marginalisation was exacerbated by the transition process, which was characterised (similarly to Zenica) by deindustrialisation and problematic privatisations. The consequent reduction of jobs hit all of Prijedor's inhabitants. According to estimates of the Prijedor Development Agency (PREDA), the overall number of workers in the municipality decreased from 27,000 to 16,000.⁷⁷ Large firms, such as the paper mill that used to employ about 3,000 workers, shut down entirely. RŽR Ljubja, Prijedor's mining company, was sold and restructured by ArcelorMittal, losing about four fifths of its employees. The mine in Ljubja is now not functioning anymore, while the Omarska mine, used as a prison camp by Bosnian Serb forces during the war, is still in operation. Radovan Karadžić is the most known high profile indictee to have been sentenced for crimes related to the operation of the Omarska camp (and other camps in the nearby territory). The recent ICTY judgement on his case outlines the unbearable conditions endured by Omarska prisoners until the camp was shut down in the summer of 1992 (ICTY 2016). ArcelorMittal has so far refused the request by victims' associations to build a memorial on the site.⁷⁸ Once again, the Prijedor case shows how socioeconomic injustices merge with issues having to do with recognition and identity.

Lack of participation, in both the political and economic life of the city, is one further element characterising the experience of non-Serbs from Prijedor. A Muslim émigré to Sweden sums up his feelings: 'when the return started we enthusiastically hoped that it will be better, that we will be equal citizens', but those hopes did not materialise.⁷⁹ While peacebuilding is also based on rebuilding social relations, including those pertaining to the workplace, this process was never set fully in motion in Prijedor. RS political elites are held responsible for the poor state of the economy,⁸⁰ as well as for the lack of representation for the concerns of minorities. The residency status of non-Serb returnees in the RS has been the subject of disputes over the past years, since voting rights (Jahić 2015) and the status of the RS as a majority Serb entity (Perry 2015) rest on it. Ultimately, if in different ways compared to Zenica, Prijedor still suffered from socioeconomic injustice that did not cease with the end of

⁷⁷ Interview with Boris Srdić, PREDA.

⁷⁸ ArcelorMittal did not respond to interview requests made by phone and via email.

⁷⁹ Interview PR/15/17.

⁸⁰ Interview PR/15/4; Interview PR/15/7; Interview PR/15/17.

the war, but were protracted well into the transition period. Hostile attitudes on the part of authorities, as well as the social impact of privatisation and deindustrialisation, contributed to the persistence of feelings of injustice among interviewees.

More in general, the analysis of interviews shows that for many Bosnians, in the aftermath of the conflict, their 'predicaments raised questions that could not be reduced to their post-war character' (Jansen 2006, 185). In order to grasp these, not only we need to look beyond ethnic cleansing, as Jansen suggests, but also broaden our scope beyond the temporal boundaries of the war, to understand how the conflict and post-conflict period are situated within the broader social transformation entailed by the post-socialist transition.

4.4 Conclusion

In the conclusion of his book on socioeconomic violence and transitional justice, Dustin N. Sharp (2014) warns that the expansion of transitional justice into new territory comes with risks and difficulties, and should be done cautiously. Any discussion of such expansion towards socioeconomic issues, however, should be grounded in the comprehension of the violations and crimes that are actually experienced by local communities, and how they lead to the formulation of justice claims based on *redistribution* as opposed to (or in addition to) *recognition*. By analysing such experiences of injustice in Prijedor and Zenica, this chapter lays the basis for understanding the development of conceptions of justice and justice claims that is treated in Chapter 5. It will be argued in Chapter 5 that justice claims develop through a process of interaction between memories of injustices suffered and the influence of international models and discourses on justice issues.

A crucial part of the thesis' argument is that economic violence was present during the war and constitutes an important part of the war experience, as recounted by interviewees. This chapter has strengthened the case for including socioeconomic justice within the transitional justice framework, and provided evidence that local Bosnian communities commonly experienced forms of injustice or violence that were related to socioeconomic, and not just interethnic, issues. Experiences of socioeconomic injustice also differed between Prijedor and Zenica. In Prijedor,

socioeconomic injustice was firstly experienced in relation to an active policy of discrimination and marginalisation aimed at the non-Serb population, whose effects protracted well after the end of the conflict. Socioeconomic injustice, thus, occurred along ethnic lines. In Zenica, the local working-class community emphasises feelings of injustice related to deprivation, marginalisation and exploitation.

Prijedor and Zenica shared the same path to socioeconomic development, especially thanks to investment on the part of the socialist government. The cities were also linked in the production process: the mining company in Prijedor extracted iron ore, one of the raw materials used to produce steel made by the Željezara in Zenica. The same multinational corporation, ArcelorMittal, controls the mine and steel mill today. Building on the background provided by this comparison, Section 2 and 3 provided a more direct answer to the question by analysing experiences of socioeconomic injustice as presented by interviewees. Interviews reveal the far-reaching socioeconomic implications of the conflict and the transformations that followed it, and stress the differences between the experiences of Zenica's and Prijedor's inhabitants. The relation between the war and socioeconomic injustice is particularly visible in Prijedor, where non-Serbs were systematically marginalised and fired from their jobs. The transition contributed to the crystallization of injustice, due to the impossibility of returning to previously held positions and the lack of economic opportunities brought about by deindustrialisation. In Zenica, the war represented the beginning of the end for some industries, and most notably for the steel plant. The privatisation of the steel plant caused not only the loss of employment for a large portion of Zenica's citizens, but also signified the loss of the city's industrial and working class character.

The chapter has ultimately showed that adopting the analytical perspective of socioeconomic injustice is necessary to fully comprehend the war and transition experiences of Bosnian communities. Far from marginalising justice claims that might relate to *recognition* or *representation* (Fraser 2005), it reveals interactions and overlaps between different dimensions of injustice. It also highlights the potential role played by internationally-sponsored economic reforms, privatisations, and return policies in aggravating some of these feelings of injustice. The following chapter, then, turns to answering the question of to what extents these feelings inform the development of

conceptions of justice at the local level, while Chapter 6 will explore whether and how they lead to expressions of popular discontent or social mobilisation.

CHAPTER 5
STRUGGLING TO BE HEARD:
CONCEPTIONS OF SOCIOECONOMIC JUSTICE IN PRIJEDOR
AND ZENICA

Building on the analysis of experiences of socioeconomic injustice conducted in Chapter 4, this chapter answers the question of how conceptions of justice emerge among local communities in Bosnia and Herzegovina. It builds on the theoretical framework presented in Chapter 2, and more specifically refers to the element of contestation that is inherent in the idea and practice of post-war justice processes. By turning to the analysis of local ‘paradigms of justice’, defined as ‘the sets of linked assumptions about the causes of and remedies for injustice’ (Fraser 2003, 11), this chapter shows that the construction of notions of justice is characterised by more complex dynamics of contestation, boundary-setting, and by the ‘frictions’ (Hinton 2010, 9) existing between universal ideals of justice brought to bear on the specific post-conflict context and localised experiences of injustice.

In addition to focusing on local justice claims, then, Chapter 5 also takes into account the role played by the international intervention – not in spreading specific justice norms through a ‘cascade’ process (Sikkink 2011), but in setting the context within which ideas about justice are adopted and used by local actors, often in ways that had not been foreseen by their international initiators. This chapter gives yet a different perspective on the relationship between justice and affected societies, by focusing specifically on how justice conceptions can have strong local roots: in this case, memories of socialism and experiences of wartime injustice. It also stresses, however, the role of the international intervention in shaping justice discourses, and promoting transitional political-economic arrangements that also affect the development of justice claims. Justice claims do not necessarily constitute a set of coherent arguments, but emerge from the interviews as themes that have to do with two dimensions. First, they tell us something about the *content* of justice claims, or

the interviewees' conceptions of justice. Second, they relate these ideas about what justice should look like to the *strategies or remedies* proposed to address injustice.

The cases of Prijedor and Zenica are once again compared to illustrate different ways in which local experiences of injustice can be articulated in relation to the international intervention. Unsurprisingly, the experiences of injustice analysed in Chapter 4 inform people's understandings of socioeconomic justice. Moreover, Chapter 5 argues that, once again, justice processes are affected by the idiosyncratic interpretation of personal experiences and expectations built on the memory of socialism, as well as by the contextual elements shaping people's ability to think and act within the context of the post-socialist transition. The intervention of external actors, in particular, has conflicting or ambivalent effects. While local conceptions of justice commonly include socioeconomic issues in both cities, the type of claims articulated by participants varies between Prijedor and Zenica. In Prijedor, where socioeconomic injustice overlapped with interethnic violence, justice claims can at least in part be related to the internationally-sponsored transitional justice discourse. This might offer some acknowledgment to local communities, but can only partly satisfy their feelings of injustice as socioeconomic issues are left aside. On the other hand, transitional justice discourses do not capture socioeconomic claims emerging from Zenica. This can limit the potential for redress, but also leave citizens freer to develop alternative, and more transformative, conceptions of justice as redistribution. Building on this last point, Chapter 5 also shows that local communities put more emphasis on redistributive reforms to address socioeconomic injustice, rather than the mechanisms suggested by some transitional justice scholars (such as truth commissions or trials; see Arbour 2007; Sankey 2014).

The international intervention in justice processes is broadly understood to include transitional justice and political-economic reforms. While the latter is central to the thesis argument and has been discussed at length in Chapter 3, here we begin by discussing the configuration of transitional justice interventions in the cases of Prijedor and Zenica. Section 5.1 also shows how 'paradigms of justice' can only be understood by taking into account past experiences, and the expectations that stem from these. Sections 5.2 and 5.3 illustrate how these elements combine to inform conceptions of justice and justice claims at the local level. First, Section 5.2 finds that in both cities the themes most strongly linked to experiences of injustice are the loss

of employment, and social and class status. These themes are then contrasted to the international approach towards these problems. Section 5.3 turns to the strategies proposed in connection to the issues raised in the previous section, and highlights the differences between the prevalence of affirmative strategies in Prijedor, compatible with the transitional justice discourse and the Dayton framework, and transformative proposals in Zenica, clashing with the international community's vision of BiH based on liberal democracy and market economy. The chapter concludes by summarising its contribution to the thesis, and making an explicit connection between these findings and the following, last substantial chapter of the thesis, which addresses the question of whether these socioeconomic grievances led to social mobilisation.

5.1 Developing 'paradigms of justice'

Although socioeconomic injustice was common during the war, transitional justice programmes gave priority to injustice linked to violations of International Humanitarian Law (IHL). In the case of the former Yugoslavia, information about IHL violations was compiled through NGO and UN reports (such as the UN fact-finding mission's report, UNSC 1994; see also Helsinki Watch 1992). Socioeconomic justice was given limited space as a form of material compensation for these wrongs. In other words, transitional justice put in the foreground injustice linked to *recognition* rather than *redistribution* (Fraser 1995, 2003), separating war crimes and ethnic cleansing from the political economy of the war. As the focus on legal redress and individual accountability for violations of IHL defined clear boundaries for debates around justice issues, socioeconomic justice remained outside the scope of justice debates around policies and remedies to be adopted, and socioeconomic problems were left to be addressed through market reforms. This section shows how injustices suffered during the war, memories of a 'socially just' past, and the protraction of injustice during the transition, coupled with the limitations posed by the transitional justice framework, can affect the development of conceptions of justice and justice claims among local communities.

5.1.1 The role of perceptions and memories of the past

The establishment of the ICTY was thus the result of the problematisation of the conduct of armed forces in the war, and its impact on the civilian population, especially in Bosnia and Herzegovina. Shifting from recognition to redistribution, however, also requires taking into account the less formalised nature of experiences of socioeconomic injustice, and thus entails turning to the grassroots level, to local communities and their perceptions, as the source of ideas about what justice should look like and how it should be achieved. As the interview material discussed in Sections 5.2 and 5.3 shows, experiences of socioeconomic injustice occupy central place in the development of conceptions of justice and justice claims among local communities.¹ These experiences serve as the first point of reference for understanding how, in a context dominated by transitional justice as cultural recognition, people developed alternative ways of thinking about the meaning of justice, where socioeconomic issues occupy a central place.

Conceptions of justice might also rely on memories of the past, often considered a benchmark for the peaceful and stable life people strive to establish in the aftermath of war. Different theoretical approaches to transitional justice have stressed the importance of restoration and redress for victims, and promoted a holistic view of justice issues in post-war societies (Mani 2002). Based on a critique of conventional transitional justice mechanisms (such as trials and truth commissions), Mani's idea of 'reparative justice' suggests an attempt to restore, as much as possible, the social conditions that would have existed if the violence had not taken place (Mani 2005, 522), although the harm may never be fully repaired (Ibid., 524). More recent works by Lambourne (2009, 2014) incorporate this reparative element within a transformative justice model. Differently from the concept of reconciliation, which is also premised on the return to a peaceful past but is marred by teleological religious connotations (Moon 2004) and places a heavy burden on communities supposed to 'reconcile', the idea of restoring some of the features of socioeconomic life that characterised socialist Yugoslavia has some traction among victims of socioeconomic injustice in Prijedor and Zenica.

¹ These experiences are summarised in Table 5.1, and discussed in detail in Chapter 4.

Table 5.1. Summary of socioeconomic injustices in Prijedor and Zenica

PRIJEDOR	
Form of socioeconomic injustice	Overlap with other forms of injustice
Dismissal from jobs	Overlap with internethnic violence, ethnic cleansing campaign
Cutting off access to telephone lines and public services	
Destruction/occupation of dwellings	
Use of signs (white armband) to socially marginalise part of the population	
Cutting off road connections, TV and radio broadcasts	
Impossibility to regain lost jobs	Overlap with political misrepresentation (institutional system of Dayton; exclusion from socioeconomic reform process)
Impossibility to find alternative employment	
ZENICA	
Form of socioeconomic injustice	Overlap with other forms of injustice
Dismissal from jobs (war- related)	No substantial overlap with interethnic violence
Lack of food, material deprivation (war related)	
Dismissal from jobs (related to privatisation)	Nonrecognition of class identity
Loss of working class identity	
Heavy pollution	Exploitation coupled with political misrepresentation (lack of accountability of political elites and ArcelorMittal)
Material deprivation (minimal pensions; delays in payment of due salaries; lack of income)	
Lack of access to employment opportunities	

While the international community effectively put aside Bosnia's socialist past in reconstructing the country (Gilbert 2006), returning to peace entailed, for many, the hope that stable employment, social security, health services and education would return to function in the way they did before the war (see Chapter 4, section 4.1, and Jansen 2006). These expectations inevitably inform the way in which people conceive of justice, and the connections made between experiences of injustice and the type of redress sought. Moreover, the backward-looking act of remembering socialism might appear - within the post-war and post-socialist condition that

characterises Bosnia – as something to be recovered in order to build a fairer society in the future, and can thus even assume a forward-looking character.

Lastly, the lack of redress, characterising the transition period, is often lived as a continuation of the injustice. This contributes to strengthening justice claims based on socioeconomic issues. The narrow definition of justice issues as those pertaining to serious violations of humanitarian law also entailed the creation of a categories of victims of injustice that did not encompass those suffering from socioeconomic wrongs. The concept of victimhood has been subjected to much critical scrutiny, with scholars pointing at the potential problematic implications of passivity inherent to the concept and the hierarchies produced between different categories of victims (Madlingozi 2010; McEvoy and McConnachie 2013, see also Helms 2013 on gender and victimhood). The analysis of experiences of socioeconomic injustice, and justice claims emerging from the ground, suggests that local communities be understood as the bearers of justice claims, entailing a more positive connotation compared to the term ‘victim’. Moreover, the bearers of justice claims can be defined in socioeconomic terms in addition to ethnic or cultural ones. By identifying the three major ethnonational groups (Bosniaks, Croats and Serbs) as ‘constituent peoples’, though, the Bosnian institutional framework effectively pushed to the side alternative ways of defining social groups, including socioeconomic classes or other more ‘civic’ alternatives. The experience of the transition process is then lived, by these local communities who also identify themselves as workers, not only as a continuation of injustice, but also as a phase in which ‘boundaries are drawn in such a way as to wrongly exclude some people from the chance to participate at all in its authorised contests over justice’ (Fraser 2005, 76). This lack of acknowledgement and redress has the potential to strengthen socioeconomic justice claims elaborated at the local level.

5.1.2 The contextual element: international intervention in post-war justice processes

Given the widespread reach of the international intervention in Bosnia, and its involvement with justice issues, conceptions of justice emerging from the local level stand in a necessarily relational position with it. Being in a ‘post-Westphalian’ setting

(Fraser 2005, 82) does not only entail a rethinking of who, in terms of communities and groups, should be the subject of justice claims. It also entails a shift in the responsibility for responding to these justice claims, from nation-states to international actors, including international governmental and non-governmental organisations. This is especially true in those post-conflict settings where there is an expectation that a legal approach to transitional justice will be taken (Teitel 2003), under international supervision or sponsorship. The international intervention offers a publicly sanctioned narrative on the 'causes, consequences, and solutions to violence in the country of intervention' (Autesserre 2014, 33), to which citizens of the country can refer to in order to express their feelings of injustice. Justice is inserted within a universalising strive towards liberal democracy and liberal peacebuilding projects (Arthur 2009; Nagy 2008). Similarly, the intervention can also favour certain types of remedies or mechanisms. Critical scholars have often emphasised the dominance of legal approaches to dealing with the past or 'legalism' (Arthur 2009; McEvoy 2008), epitomised by the dominance of judicial mechanisms such as the ICTY, ICC and other national or hybrid courts. The legalism of transitional justice falls within a broader preference for strategies concerned with addressing and ameliorating the outcomes of injustice over transformative ones that aim at restructuring the system and thus removing the root causes of injustice (Fraser 1995, 2003). Retributive justice, working through the provision of jail sentences to individual perpetrators of crimes, lacks transformative potential because of its limitations in dealing with the moral and political accountability of the state and social system that allowed for crimes to happen (see Drumbl 2005; Subotić 2011).

While Chapter 3 has already discussed the most relevant dimensions of the international approach to socioeconomic issues, here we refer more specifically to the ways in which post-war justice processes have touched the cities of Prijedor and Zenica. The marginalisation of socioeconomic justice is apparent. This does not amount to first-order silencing or exclusion, 'because the practice of excluding someone or some thing implies a tacit recognition of their presence' (Dingli 2015, 725), but rather to a meta-level form of *misframing* (Fraser 2005, 76-77), where only some forms of injustice are recognised as such, thus limiting the ability of some communities to engage with the justice process. The role of the international intervention in shaping the emergence of socioeconomic justice claims can thus be

conceptualised as that of selectively acknowledging injustice, and as a result distorting the socioeconomic justice claims put forward by affected communities. Rather than intentional exclusion, this process entails the metaphorical ‘occupation’ of post-war justice initiatives by internationally-sponsored justice processes, thus prompting local communities to engage on those terms. Those communities whose experiences of injustice are partially acknowledged, then, can mobilise the transitional justice narrative to their advantage, but this might affect their preference for remedies that remain in line with the affirmative nature of the transitional justice discourse prevalent in BiH. Where justice claims remain below the radar of the international community, and outside of the scope of action of transitional justice interventions, justice claims develop outside the limits of transitional justice, and can envisage more transformative remedies for socioeconomic injustice. Overall, conceptions of justice voiced by local communities are relational: they emerge from past experiences but meet political and economic forces that shape the context within which they can be effectively put forward and heard.

5.1.3 Transitional justice interventions in Prijedor and Zenica

The war in Prijedor was characterised by widespread wartime violence, where socioeconomic and cultural injustice significantly overlapped, but transitional justice efforts largely dealt with the latter and marginalised the former. Interventions in the field of transitional justice in Prijedor reflect the international community’s preference for legal mechanisms of dealing with the past. The ICTY heard fifteen cases on wartime events related to Prijedor, including the high profile ones of Radovan Karadžić and Ratko Mladić. The findings from the cases confirm that a systematic campaign targeting non-Serbs with the aim to expel them from the territory of the municipality was put in place by the Bosnian Serb wartime leadership. The Tribunal handed out convictions for violations of the laws and customs of war, including grave breaches of the Geneva Conventions, and crimes against humanity with respect to events that occurred within the city of Prijedor, its surroundings, and the prison camps of Omarska, Keraterm and Trnopolje (see Table 5.2). ICTY trials on Prijedor are particularly important because the first reports of violence against

civilians coming from the city, in 1992, strengthened the case for the establishment of the ICTY.²

Table 5.2. ICTY cases on Prijedor and Zenica

PRIJEDOR cases	Prijedor-related events in the cases
Banović (IT-95-14) "Omarska and Keraterm Camps" Kvočka et al. (IT-98-30/01) "Omarska, Keraterm and Trnopolje Camps" Mejakić et al. (IT-02-65) "Omarska and Keraterm Camps" Sikirica et al. (IT-95-8) "Keraterm Camp"	Crimes committed in the prison camps around Prijedor.
Brđanin (IT-99-36) "Krajina"	Shelling of non-Serb villages, forcible transfer of non-Serbs.
Karadžić ((IT-95-5/18) Krajišnik (IT-00-39) "Bosnia and Herzegovina" Mladić (IT-09-92) Plavšić (IT-00-39 & 40/1) "Bosnia and Herzegovina" Stakić (IT-97-24) "Prijedor" Talić (IT-99-36/1) "Krajina" Stanišić & Župljanin (IT-08-91) "Bosnia and Herzegovina"	Participation in a Joint Criminal Enterprise to remove non-Serbs from RS territory, persecution of non-Serbs.
Mrđa (IT-02-59)	Killing of about 200 Muslim civilians on Vlašić Mountain on 21 August 1992.
Tadić (IT-94-1) "Prijedor"	Crimes committed in Kozarac, Prijedor, and the prison camps.
ZENICA cases	Zenica-related events in the cases
Blaškić (IT-95-14) "Lašva Valley" Kordić and Čerkez (IT-95-14/2) "Lašva Valley"	Shelling of Zenica of 19 April 1993.
Hadžihasanović and Kubura (IT-01-47) "Central Bosnia"	Crimes committed against prisoners of war in the Music School and the KP Dom (prison).
Kupreškić et al. (IT-95-16) "Lašva Valley"	Discrimination against Croats in Zenica.

Prijedor was also one of the cities selected for the cycle of conferences 'Bridging the Gap between the ICTY and communities in Bosnia and Herzegovina',

² See ICTY (2013), Crimes before the ICTY: Prijedor, at <<http://www.icty.org/sid/11341>>, accessed 25 July 2016.

which was meant to address the perceived distance and misunderstandings between the Tribunal and its local constituencies (ICTY 2009). The then ICTY registrar, Hans Holthuis, stated in his opening remarks that the conference aimed at discussing crimes against the non-Serbs in Prijedor as these were ‘the gravest crimes committed in this area’, and added that Serbs could not be accused of such crimes as a nation: ‘Entire nations are never responsible for crimes. Just as each victim has a name, so does each perpetrator’ (ICTY 2009, 2). These statements are representative of the transitional justice discourse that focuses on interethnic violence as its focus and on legalism as its approach (McEvoy 2008; Bell, Campbell and Ní Aoláin 2007).

Non-governmental work on transitional justice in Prijedor has adopted a similar approach, but has also looked at the broader impact of crimes on the community, including on former camp prisoners, families of victims and missing persons. Notable among these organisations is Izvor (Source), which has been offering psychological support to victims, promoting the rights of trial witnesses, and has taken part in the regional Initiative for RECOM.³ Associations of former camp detainees (*logoraši*) also work on transitional justice issues, from the specific perspective of those who experienced detention in the camps surrounding Prijedor (Dowling 2013). Their calls for public recognition of war crimes against non-Serbs and for the erection of monuments at prison camps such as Omarska (still operating as a mine under the control of ArcelorMittal) remain unheard to date, despite being supported by international NGOs and human rights activists (ICTJ 2013).

Within this landscape, the efforts of the youth NGO Kwart, led by Goran Zorić, to build a different paradigm for addressing the denial prevailing in the city deserve separate mention. Kwart favours referring to ‘dealing with the past and culture of remembering’ (*suočavanje sa prošlošću i kultura sjećanja*), as it better captures the complexity of these processes compared to the term ‘transitional justice’, conventionally adopted by international organisations. Their approach contrasts sharply with – and represents a living critique of – the international community’s refusal to engage with anything that can be characterised as political, and its insistence on reconciliation and interethnic dialogue as cornerstones of the

³ See RECOM (2009), Local Consultation with Civil Society on the Initiative for RECOM, at <<http://www.recom.link/konsultacije-sa-civilnim-drustvom-2/>>, accessed 25/07/2016.

transitional justice process (which Kwart believes entrench national divisions through their continuous demarcation in public discourse).⁴ Their approach seems to offer a transformative alternative to transitional justice, which attempts to achieve recognition through the deconstruction of differences rather than their affirmation (Fraser 2003). Their activities include a regional youth camp in Kozarac⁵ and other Prijedor based initiatives, and broaden their outlook beyond the current war to the legacies of the Second World War, antifascism and social activism. Predictably, their work encounters very serious obstacles in the politically sensitive context of Prijedor.⁶ While supporting justice as transitional justice through the ICTY, the international community is wary of direct commitment in supporting politically controversial projects. Because of this, some of the most important peacebuilding initiatives on the ground, such as the Dan Bijelih Traka (White Armband Day, calling for a monument to children of all nationalities killed during the war, to be placed in Prijedor's main square)⁷ or the camps and workshops organised by Kemal Pervanić of Most Mira (Bridge of Peace),⁸ occur at a very grassroots level and with little or non-existent institutional support. The White Armband Day uses explicitly civic and anti-nationalist language, laying flowers on the ground to symbolise and commemorate the children victims of the war. Thus, in the complex transitional justice landscape of Prijedor, a recognition-based model of justice still dominates, although make good use of the space left for alternative activities.

Moving on to the case of Zenica, Chapter 4 showed that experiences of injustice were common but did not overlap with interethnic violence to the same extent as in Prijedor. As a result, they stand in starker contrast with the framework provided by internationally-sponsored transitional justice. While Zenica was not

⁴ See Kwart's website (<http://centarzaamladekwartprijedor.blogspot.co.uk/>), and interview PR/15/18, Kwart activist, 21 July 2015.

⁵ A neighbouring village to Prijedor where crimes against the local Muslim population were committed, situated in the vicinity of the Kozara National Park and its World War II monument to the revolution.

⁶ On the visible effects of denial, from the perspective of researchers, see also Clark (2011, 74-75).

⁷ See the Facebook page of *Jer me se tiče* (Because it concerns me), which organizes the event, <<https://www.facebook.com/jermesetice/>>, and this overview by Selma Milovanović for Al Jazeera America, "Bosnians Mark a Painful Chapter with White Armband Day", available at <<http://america.aljazeera.com/articles/2014/5/30/for-bosnians-whitearmbanddaymarkspainfulchapter.html>>, accessed 3/08/2016.

⁸ See the website of Most Mira (Bridge of Peace), <<http://www.mostmiraproject.org/>>.

heavily hit by fighting as other major Bosnian cities and surrounding areas in central Bosnia, some events occurred within the city did become the target of war crimes investigations. The ICTY, in particular, discussed the shelling of Zenica occurred on 19 April 1993, most likely by the Croat forces of the HVO (Hrvatsko Vijeće Obrane),⁹ which killed fifteen and injured a further 50 people. The shells fell around Zenica's main market, a busy pedestrian area with shops, street vendors and a mosque. In the trial judgment of the Kordić and Čerkez case (case IT-95-14/2), the ICTY attributed the shelling to the HVO, but did not impute the incident to the indictees (ICTY 2001). The Tribunal also heard about cases of discrimination against Croats in Zenica during the war (see case IT-95-16, Kupreškić et. al; ICTY 2000), and passed judgments for crimes against prisoners of war held by the Armija BiH (Army of the Republic of Bosnia and Herzegovina) in the city's Music School and prison (KP Dom) (case IT-01-47, Hadžihasanović and Kubura; ICTY 2006). A large part of Serbs living in Zenica also left the city, which is now 84% Bosniak. However, these cases of ethnically-based discrimination and IHL violations cannot be compared in magnitude and reach to the persecution of non-Serb civilians in the Prijedor area.

With respect to non-governmental work, NGO activism on transitional justice issues in Zenica is characterised by the strong presence of organizations dealing with women's issues. The most prominent NGO in the city is Medica Zenica, a self-defined feminist and anti-nationalist organisation (Helms 2013, 97), founded with the goal of offering psychosocial and medical support to victims of war and post-war violence.¹⁰ The Center for Legal Help for Women (Centar za Pravnu Pomoć Ženama) also works on issues related to gender equality, and includes promoting the implementation of UN Resolution 1325 within its mandate.¹¹ They are also part of a UNDP programme offering free legal help.¹² In her review of women's NGOs, Helms (2013, 100-103) also cites some conservative NGOs primarily aimed at Muslim women, some of which are no longer active, as well as Naš Most (Our Bridge). Naš Most had grown in size when

⁹ For a different view see Shrader (2003, 117-118).

¹⁰ See the website of Medica Zenica, <<http://www.medicazenica.org/>>, accessed 2/08/2016.

¹¹ Interview ZE/15/19, activist from the Centar za Pravnu Pomoć Ženama (email), 16 September 2015.

¹² See the website of the project, Mreža Pravne Pomoći, at <<http://mrezapravnepomoci.org/en/>>, accessed 24/07/2016.

membership became a requirement to access a popular post-war microcredit scheme (Helms 2013, 100). Informal groups and NGOs also take part in transitional justice initiatives in other parts of the country. Groups from Zenica regularly attend the Srebrenica genocide commemoration in Potočari each July. More recently, smaller groups have also travelled to Prijedor on 31st May for the White Armband Day.¹³ While not aiming at being comprehensive, this overview exemplifies what the international community, and the formal NGO sector, constructed as the realm of transitional justice interventions in Zenica. The conception of justice underscoring these efforts draws on ideas of individual accountability for war crimes, the protection of civil rights, and fighting discrimination. While these are widely valued components of the transitional justice process, they appear to tackle mostly the recognition dimension of justice while marginalising redistribution, reflecting a broader shortcoming of transitional justice approaches in Bosnia. The contrast with the views of those most affected by socioeconomic injustice in Zenica is thus striking, as interviews show.

5.2 Socioeconomic issues and conceptions of justice

In both Prijedor and Zenica, interviews show that the experience of socioeconomic injustice suffered during the war and the transition, as well memories of the socialist system, strongly influence the way in which people conceive of justice. At the same time, these conceptions of justice are not developed in a vacuum. This section outlines how socioeconomic justice claims emerging from local communities in Prijedor and Zenica fit or interact with the international intervention. In doing this, it shows how the international intervention selectively acknowledges injustices and legitimises justice claims.

¹³ While the organisers try to attract participants from Prijedor and the RS, a large part still comes from Sarajevo and other cities in the Federation.

5.2.1 *Conceptions of socioeconomic justice in Prijedor*

While transitional justice processes in Prijedor capture the experiences of interethnic violence or injustice suffered by interviewees, they largely fail to address the socioeconomic component of their idea of justice. Three elements emerge most strongly from the interviewees' accounts, and help us understand how they give concrete meaning to the abstract concept of 'justice' through their experiences. The influence of experiences of injustice during the war and transition, and memories of socialism, is clearly visible here. The first theme emerging from the interviews with research participants in Prijedor is the importance of work and employment in their understanding of justice. Work is necessary to secure one's own existence. This is how Belma explains the relevance of economic issues and work: 'Everything comes from the economy. If a person is satisfied, if it has sufficient earnings, that's my opinion, if my earnings are sufficient for me to be able to live normally, as a worthy person, who has its own worth, thank god. (...) If a person is economically secure, nothing else is necessary to her, right? She will get everything else. If there's no economic security, she's at the margins of society'.¹⁴ Belma's statement highlights the interdependence between economic needs and a dignified existence. Jasna succinctly sums up: 'Justice is the right to work, that is the most important right.' She adds: 'I cannot just sit still and say that that is life. I don't have anything, I don't have money, I don't have possibilities, I don't have employment.'¹⁵ Work is highly valued not only for economic reasons, but also because work (or the lack thereof) contributes to defining a person's place in society,¹⁶ and their own worth. Suada, for instance, argues that worst aspect of the injustice she survived was 'humiliation': 'We survived humiliation, and that's terrible. My uncle (mother's brother) was in the camps, and when he left it he only said, the worst thing is humiliation.' She added: 'Someone can insult you, I can tell you something bad, and that you will forget. But if I humiliate you, you will not forget that.'¹⁷ The experience of being dismissed from work interacted profoundly with interethnic violence in Prijedor. The decline of Prijedor's industrial area, anticipated by the crisis during the 1980s, only became dramatically

¹⁴ Interview PR/15/15.

¹⁵ Interview PR/15/12.

¹⁶ See interview PR/15/16; Interview PR/15/14, worker from Prijedor (Kemal), 19 July 2015.

¹⁷ Interviewee PR/15/4.

visible to the non-Serb population with the takeover by the Prijedor Crisis Staff and the ensuing dismissal of Muslims and Croats from their jobs. Sakib, for example, was working on the new plans to open a steel mill in Prijedor, which were abandoned towards the beginning of the economic crisis. At the time, however, a skilled worker like him was unlikely to remain unemployed, and he was quickly hired at the ceramics factory. It was only with the beginning of the war and ethnic cleansing that the downfall of RŽR Ljubija (the mining company), the paper mill, the ceramics industry and the other companies that had once employed thousands of workers (without regard to ethnic belonging) became a serious concern for the interviewees. At that time, interviewees lost their socioeconomic status as workers as well as their position as equal Muslim and Croat citizens. In a now Serb-dominated area, the international intervention, gave sanctioning to the latter aspect of the injustice suffered, while their experience as victims of socioeconomic injustice remains unrecognised, and workers remain a subaltern group to ethnicity within post-war Prijedor.

Secondly, interviewees emphasise that a just society is also characterised by an adequate level of social spending and equal access to welfare. This theme emerges in the comparison between the pre-war situation and the transition period. Chapter 4 already gave an overview of the interviewees' perspective on the merits of Yugoslav spending on public services, including schooling, pensions, and healthcare. The comparison between socialism and post-war Bosnia juxtaposes the unity and equality of access to certain services with the fragmentation linked to the current ethnicity and entity based system. Schooling is now viewed as of lesser quality, and more expensive. In some cases, children from small towns cannot afford going to school because of the high costs of bus fares, sometimes prompting fundraising on the part of the school staff to help out.¹⁸ Interviewees also suffer from the loss of a unified health care system. In her account of what justice means to her, Maja says that while every Yugoslav citizen was once covered for free treatment wherever they needed to go (in the rest of Bosnia, but also more developed republics like Croatia, Slovenia), now health insurance is linked to their place of residence. This becomes problematic for residents of Prijedor who, like her, failed to get back their job in the city after the

¹⁸ Interviewee PR/15/1, activist from NGO Progetto Prijedor (Sladjana Milijević), 9 July 2015; Interview PR/15/7.

war and found employment in Sanski Most, which is on the other side of the Inter-Entity Boundary Line, in the Federation of BiH.¹⁹ Even when, during the 1980s, the mining company was starting to put people on waiting lists from time to time, employees still had full contributions made towards healthcare and other social services. This was not the case anymore after 1992. Conceptions of justice among non-Serbs in Prijedor also connect the social marginalisation suffered during the war to the call for better access to public services. Moreover, the transition period, far from bringing redress, is making things harder and strengthening social justice claims. Suada dramatically contrasts the current situation in Bosnia with Germany, where she was a refugee during the war: ‘In our country you can die from hunger, and no one will help you. If my neighbour is hungry, I will offer her bread. But social services won’t help her.’²⁰ Both Jasna and Sanja make a direct connection between the poor state of the economy and privatisations and the insufficiency of public help for weaker categories of the population. Sanja clearly argues: ‘Social justice only works on the basis of the economy’; if contributions to the state budget are lacking because people are not employed, the state will lack resources for social transfers and public services.²¹

Table 5.3 Developing justice claims from experiences of injustice (Prijedor)

Experience of injustice	Justice claims
Dismissal from jobs	Reinstatement of Muslim employees, compensation.
Cutting off access to telephone lines and public services; cutting off road connections, TV and radio broadcasts	Equal rights and social participation of non-Serbs in Republika Srpska.
Destruction/occupation of dwellings	Restitution/compensation.
Use of signs (white armband) to discriminate against the non-Serb population	Recognition of one’s ethnic identity; Equal rights for Muslim and Croat citizens within Republika Srpska.
Impossibility to regain lost jobs (and find alternative employment)	Stronger welfare support from the state.

¹⁹ Interview PR/15/7.

²⁰ Interview PR/15/4.

²¹ Interview PR/15/11.

Lastly, non-Serb citizens of Prijedor are concerned with their social status in the city and in the entity of Republika Srpska. The war, by depriving people of their job, homes, and social position, marginalised Muslims and Croats, while the lack of redress during the transition period aggravated their grievances. A call for social and political equality emerges from this experience of marginalisation. Samir, for instance, argues that justice entails 'being equal in all respects', 'universal equality'. When the return began his expectation was that they would be 'equal citizens', but he argues that this is not the case for Muslims living in the Serb entity.²² This situation of inequality contrasts sharply with the picture interviewees give of equality during socialist times where people could look at a person 'just like a person'²³ rather than on the basis of ethnic belonging as they do now.²⁴ From this point of view, justice for interviewees in Prijedor entails a call for equality that is based on the respect of differences and guarantees for their group – now defined in terms of ethnicity for most interviewees – thus combining calls for redistribution and recognition.²⁵ The relevance of ethnic grouping as the basis for developing justice claims transpires often from the interviews conducted in Prijedor. In a significant fragment quoted in Chapter 4, for instance Suada says 'and then *us Bosniaks* – even though we never called ourselves Bosniaks, we *were* Yugoslavs, and loved our Yugoslavia...'.²⁶ A multi-ethnic or overarching national identity has thus given way to the ethnic one prevailing during the war, which is also enshrined in the transitional justice approach of the international community, and in the Dayton institutional framework. While the experience of socioeconomic injustice leads to calls for social equality and economic provisions, the predominant justice model provides a point of reference for expressing justice claims that is based on their ethnicity rather than on their working class identity.

The institutional set-up of post-war Bosnia, where ethnic belonging and territorial divisions are closely linked, further entrenches their position as bearers of

²² Interview PR/15/17.

²³ Interview PR/15/16.

²⁴ Interviewee PR/15/17; Interview PR/15/16.

²⁵ Interview PR/15/13; Interview PR/15/4. For an exception see interview PR/15/7 (Maja), she also talks about 'nations', but does not inscribe herself within one of them.

²⁶ Interviewee PR/15/4 (emphasis added).

justice claims as an ethnic group. One simple example of the lack of political participation of non-Serbs in Republika Srpska is the requirement for its residents to elect a Serb member to the country's tripartite presidency, and five Serb representatives to the country-level House of Peoples.²⁷ Non-Serb citizens are not fully included in political decisions of the community to which they belong (Fraser 2005, 76). The calls for social equality voiced by interviewees in Prijedor, then, best illustrate the interrelated nature of *redistribution* (putting an end to economic marginalisation), *recognition* (defending the rights of non-Serbs), and *participation* (guaranteeing their equal political status in the RS). Only part of these complex experiences of injustice that were simultaneously cultural, socioeconomic and political is fully acknowledged. While the interethnic dimension of their experience of injustice can be captured through the transitional justice framework, socioeconomic violence is left out. As the following section will show, in Zenica socioeconomic concerns are also attached to the meaning of justice. The striking difference, though, lies precisely in the impossibility of being acknowledged as the bearers of justice claims through the transitional justice narrative, as an ethnic group.

5.2.2 *Conceptions of socioeconomic justice in Zenica*

Three issues, emerging from the interviews, are crucial to understand socioeconomic conceptions of justice in Zenica. First, the development of justice claims is strictly connected with the importance of work. The individual experience of being dismissed from work during the war or privatisation process, and the collective experience of loss of the city's main economic provider strongly influenced the way in which conceptions of justice formed in post-war Zenica. Ratko, a former worker and activist, argues that justice has two main dimensions. One is 'legality' (*zakonitost*), which entails respecting laws, and the second one is 'righteousness' (*pravednost*), related to whether the laws themselves are just. Both are lacking in Bosnia, but the latter is particularly concerning for him. He argues that the whole political system is unjust in that respect, and cites employment as the most relevant example of this

²⁷ Bosnia and Herzegovina has a tripartite rotating Presidency, with one Bosniak and one Croat member (elected by voters in the Federation entity), and one Serb member (elected in Republika Srpska).

problem: 'For instance, the human right to work, no one will say that there is no right to work, but will say you have the right, so find a job... That is not sufficient, one cannot by himself find a job. The system should make more jobs available. That is what the state does, politics should make sure that this is how it works.'²⁸ On the contrary, the neoliberal transformation of the post-war period entailed a reduction of the role of the state in the productive economy. As Pugh (2006b, 282) notes, international organisations in Bosnia 'counted upon FDI and privatisation to somehow substitute for an employment policy'. The lack of an active industrial policy and the reliance on privatisations were accompanied by the uncontrolled and clientelistic expansion of the public sector, which amounted to 27% of the workforce in BiH in 2013 (European Commission 2014, 27). Interviewees in Zenica, however, are more concerned with regaining employment in the productive industrial sector, as well as their working class status.²⁹ People in Zenica seem to resent the expansion of the public sector at the expense of industry.³⁰ They also resent the fact that ethnicity is used as a factor for consideration when hiring civil servants, in line with the consociational spirit of Dayton.

Such justice claims related to work clash with the international community's approach to the issue of employment in post-war BiH. Convinced that this should be mostly prompted by foreign direct investment and the growth of small and medium enterprises,³¹ the international community came to regard the attitude of the former working classes as irrational nostalgia for the old system rather than a social justice problem (EU Delegation to Bosnia and Herzegovina 2014). In the spring and summer of 2015, when the process of drafting a new Labour Law (*zakon o radu*) was under way in the Federation of BiH, interviewees expressed concerns for the conditions of workers and of Zenica as a workers' city, which they believed would be further penalised.³² They explicitly linked the issue of socioeconomic justice to the responsibility of the international community for presenting solutions to the

²⁸ Interview ZE/15/4, worker/activist from Zenica, 12 June 2015.

²⁹ Interview session ZE/15/2 and ZE/15/3.

³⁰ This also includes the physical occupation of the RMK building by the Cantonal government.

³¹ Interview SA/15/5, international official, Sarajevo, 14 May 2015.

³² Interviewee ZE/15/8; Interview ZE/15/4. Observations carried out at Zenica Plenum meetings, June and July 2015.

employment problem that – in their view – will constitute a further injustice by heightening job insecurity and exploitation. Josip for instance, says that ‘now this Labour Law needs to be approved, the EU set it up and it must be approved. That law does not protect the worker at all, it does not protect him, it protects those who put in the capital, that’s who it protects.’³³

A second element composing conceptions of justice voiced by interviewees in Zenica concerns the provision of social support. When discussing the difference between *zakonitost* and *pravednost*, Ratko points out that people in Zenica, and in Bosnia overall, had much more ‘justice’ of the second type before the war, when ‘laws were much more favourable toward common citizens, a certain standard was respected, and the right to education, health, freedom of movement, and many more rights were respected’.³⁴ Ratko’s comments reveal that the socialist system is indeed used as a standard for redress, in order to restore the conditions previous to the injustice suffered. The decline in standards has been dramatic, and has occurred at a time when a record number of citizens were in need of state services due to the consequences of the war and the impact of privatisation (Donais 2005, 143). In the eyes of interviewees justice entails access to a unified set of welfare measures that give equal worth to citizens. Zineta, for instance, survives on a minimal pension, and points at the difference between the Federation entity and Republika Srpska, where pensions are on average even lower (see also Jukic 2014). Moreover, within the Federation benefits for pensioners are decided at the Canton level. If she lived in the Sarajevo Canton, Zineta would be entitled to free transportation. Following the back injury due to which she was sent to early retirement, her freedom of movement in the city is severely impaired.³⁵ The right to health, another important social justice issue for citizens of Zenica, is also impaired by the reformed health care system. This now relies on 13 different health funds, one for each entity and the Brčko district, and ten for each of the Federation Cantons (Cain et al. 2002). This has a series of negative effects including, for instance, higher costs for medications due to the inability of small health funds to negotiate with large pharmaceutical providers.³⁶ Having seen

³³Interviewee ZE/15/8.

³⁴ Interview ZE/15/4.

³⁵ Interview ZE/15/2.

³⁶ Interview SA/15/5.

the environmental conditions of the town deteriorate, citizens of Zenica feel entitled to claim a functioning health service. This call is amplified by the perceived health danger posed by the steel mill: over the past few years, crops grown in areas adjacent to the plant were often declared non edible. A doctor (and founding member of Eko forum) claims that, while data about the effects of pollution are difficult to gather, there are indications that respiratory and other related diseases are higher than average in Zenica.³⁷ The interviewees' idea of a universal right to health, then, contrasts with the reformed system, based on compulsory or private health insurance, which substituted the universal health care of the socialist period. Once again, the content of justice claims voiced appears to be outside of the scope of international engagement on justice issues, and to contrast with reforms implemented under international supervision in BiH.

The third element composing conceptions of justice in Zenica is an expanded concept of accountability. Once again, conceptions of justice are rooted in their experiences of injustice and memories of the past. Firstly, accountability entails bringing to justice those responsible for irregular or failed privatisation process, including war profiteers who benefitted from those privatisations, and the political elites connected to them. As field visits to the surroundings of industrial cities like Tuzla, Zenica or Prijedor make painfully clear, many privatisations in Bosnia resulted in asset stripping and the closure of industrial facilities.³⁸ In Zenica, the sale of Željezara to ArcelorMittal guaranteed the restart of production and the possibility to keep about a tenth of the original workforce of the steel plant. However, political elites are often accused by interviewees of creating an unfavourable environment for the privatisation, leading to the sale of the plant for a fraction of its value.³⁹ This contributes to creating an appearance of impunity in the eyes of interviewees, one that is considered particularly problematic because of its consequences on the socioeconomic distress of Zenica and of Bosnia as a whole. At the beginning of the privatisation process, the then director of the factory was quoted saying that the international community's unwillingness to support large public investment projects

³⁷ Interview ZE/15/6, Harun Drljević, Eko forum, 13 June 2015.

³⁸ Author field visits to Zenica (various dates, June-July 2015), Prijedor (various dates, July 2015), and Tuzla (August 6th 2015).

³⁹ Interview ZE/15/2.

makes international actors complicit in the reduction in the workforce and production of the steel plant (Buchan 1998). Very seldom is accountability for economic crimes included within the remit of transitional justice programmes, and this was not the case in BiH. Economic crimes committed during the war were amnestied (Donais 2005, 102; see also Andreas 2004), thus creating a fertile environment for continued economic criminality after the end of the war.

Table 5.4 Experiences of injustice leading to socioeconomic justice claims (Zenica)

Experience of injustice	Justice claims
Lack of food, material deprivation (war-related)	Payment of fair salaries to workers and right to work to earn a living during the war.
Dismissal from jobs (related to war or privatisation)	Fair access to pensions and compensations, including those linked to the privatisation process.
Material deprivation during the transition (minimal pensions; delays in payment of due salaries; lack of income and basic necessities)	Stronger support for weak categories of the population, equal throughout BiH.
Lack of access to employment opportunities	Fair access to work; creation of employment opportunities on the part of the state.
Loss of working class identity	Opening of factories in Zenica.
Heavy pollution	Accountability of ArcelorMittal; opening of firms with lower environmental impact.

Domestic political elites have been quite successful at dodging international scrutiny on this, while the interveners' policies did not prioritise establishing accountability for economic crimes as part of rule of law promotion or transitional justice programmes. Secondly, citizens in Zenica demand accountability for the environmental damage linked to the presence of the steel plant. The risks that high levels of SO₂ and PM10 entail for the city's population health conditions are very serious.⁴⁰ In addition to the right to health care, activists lament ArcelorMittal's denial

⁴⁰ Interview ZE/15/6, Harun Drlijević, Doctor and member of Eko Forum, Zenica, 13 June 2015.

of responsibilities, and several interviewees mention accountability of those responsible for pollution in Zenica as an important part of their conception of justice.⁴¹ This expanded notion of accountability for environmental justice and economic crimes contrasts, once more, with the conception of accountability promoted by the international community's approach to justice.

To conclude, justice claims in Zenica are developed in clear connection with the experience of socioeconomic injustice suffered during the war, and with the memory of socialism on the background. Conceptions of justice emerging from the interviews, then, conform more closely to the socioeconomic dimension of their experience of the war and the transition period, thus remaining unintelligible to the international community. Justice claims voiced by citizens of Zenica contrast with the principles guiding economic reforms promoted by the international community. Lacking an interethnic dimension, these conceptions of justice are not addressed by transitional justice interventions, and are seen by international actors as the by-product of the transition process (or even as the result of an old, nostalgic part of the society that does not want to give way to the future). While we have seen that socioeconomic justice is central to the justice claims in Prijedor and Zenica, in the former case the presence of an interethnic dimension offered at least partial acknowledgement. The differences observed between the two cities are further amplified when we consider the justice claims and remedies for injustice proposed in the following section.

5.3 Form and expression of justice claims

Paradigms of justice, as defined by Fraser (2003, 11), are the 'sets of linked assumptions about the causes of and remedies for injustice.' Voicing justice claims thus means, on the one hand, specifying what the basic components of a just society are. Section 5.2 illustrated these elements as they emerge from interviews conducted in Prijedor and Zenica, and in how they relate to the international intervention in BiH. On the other hand, making a claim also entails expressing preference for certain approaches to remedy socioeconomic injustice. Claims to socioeconomic justice in

⁴¹ Interview ZE/15/2; Interview ZE/15/8; Interview ZE/15/7.

Prijedor and Zenica broadly relate to 'economic restructuring of some sort' (Fraser 1995, 73), while in Prijedor they also overlap more often with the need for cultural or symbolic change aimed at affirming the recognition of difference among ethnic groups. Remedies for socioeconomic injustice encompass 'redistributing income and/or wealth, reorganising the division of labor, changing the structure of property ownership, democratizing the procedures by which investment decisions are made, or transforming other basic economic structures' (Fraser 1995, 73). The analysis of the strategies proposed to redress injustice reveals differences between Prijedor and Zenica. While Prijedor, as shown in the previous section, seems advantaged by the fact that local understands and experiences are at least partially acknowledged by the international intervention, this could also limit the range of justice remedies that local communities understand to be part of post-war justice processes. In other words, the transitional justice framework also has constraining effects. This becomes visible in the scope of the claims proposed, and in their temporal outlook, which is geared towards the present more than towards the future. In Zenica, on the other hand, local experiences are not compatible with the conventional transitional justice narrative. This leaves the city substantially marginalised in post-war justice processes, but at the same time it allows for the emergence of more transformative ideas concerning remedies for socioeconomic injustice.

5.3.1 Justice claims in Prijedor

Interviewees in Prijedor focus their justice claims on remedies concerning the redistribution of income and democratisation of decision-making. Being able to refer more directly to the overarching transitional justice narrative seems to make interviewees in Prijedor more likely to favour affirmative remedies that remain compatible with the direction and thrust of the transition process. Living in an entity that treats them as second-class citizens, interviewees from Prijedor seem mostly concerned with remedying the consequences of ethnic cleansing in the present than with future-oriented redistributive policies.

Section 5.2 highlighted the importance of work in conceptions of justice developing in Prijedor. The call for redistributing of income or wealth is directly linked to work, and – in the Prijedor case – to restoring the position of Muslims and

Croats as part of the economically active population in the city as a remedy for socioeconomic injustice. A strikingly clear formulation of this is offered by Nefisa, the nurse who risked being deported to Omarska had the doctor not warned her to stay at home instead of going to the hospital for her scheduled night shift.⁴² She says: 'Justice should have been done immediately once the war was over, so that all Muslims could go back to work.'⁴³ Other interviewees agree that being re-employed in Prijedor would be an important form of redress for injustice, and some of them tried, but failed, to get their jobs back at the end of the war.⁴⁴ Interviewees also argue for the equality of treatment by employers, something that has lacked since the beginning of the war. Sanja, who voluntarily stopped working and went on the waiting list in 1992 before the dismissals began, was sent home with 30% of the pay, while Serb colleagues received full salaries (minus contributions for meals, travel and other benefits that were usually included during socialist times). At the end of the war they did not let her back to work. The reason she was not readmitted was not lack of work, given that her company had hired new employees in her office, but the accusation that, being part-Croat, she had supported the Croat side during the war. Despite presenting formal complaints to the labour inspectorate, she was never readmitted to work, but managed to get compensation by being sent to early retirement with the pension of a higher grade than the one she had before 1992.⁴⁵ Calls for reinstating non-Serb employees in order to remedy injustice show that the restoration of conditions as similar as possible to the pre-war period is crucial to understand justice claims emerging from the local level (Mani 2005). However, the Labour Law of Republika Srpska offered very limited opportunities for compensation due to unjust dismissals during the war, and did not extend to reintegrating returnees within the local workforce. Moreover, according to the Prijedor branch of the NGO Vaša Prava, there have been substantial delays and evidence of inefficiency in processing these compensation claims.⁴⁶ By focusing on the employment status of non-Serbs in Prijedor (as opposed to the broader issue of widespread unemployment due to deindustrialisation), interviewees seem to favour

⁴² See Chapter 4, Section 4.2.

⁴³ Interview PR/15/13.

⁴⁴ Interview PR/15/7; Interview PR/15/15.

⁴⁵ Interview PR/15/11.

⁴⁶ Interview PR/15/2, Vaša Prava Prijedor, 9 July 2015.

remedies that tackle the specific consequences of the injustice for their community. Their affirmative approach focuses on the reinstatement of rights that were denied.

With reference to the second point discussed in section 5.2, social services, interviewees believe that increasing social spending is necessary in order to remedy injustice. Interviewees feel entitled to receive payments from the state, such as pensions, after working and accumulating contributions. Nefisa says, for instance: 'Muslims here do not have any rights. Let me tell you. None. The only thing they give us are pensions, they give what they have to give, because I earned that with 28 years of work and no one can take that from me, neither Dodik nor God.'⁴⁷ At the same time, they believe the public sector is falling short of expectations, and compare it with private efforts that are often better targeted. One example of this is the situation occurred in the aftermath of the 2014 floods, when private citizens mobilised in a quicker and more efficient way than the state.⁴⁸ In another instance, one of Suada's guests from the Bosnian diaspora made a generous donation to a humanitarian organisation so that they could pay for an extra lunch for the poor in Prijedor. The authorities, she says, will not help them, and Bosnia is not 'a social country' anymore.⁴⁹ Privatisations and the transition process in general are blamed for allowing groups of criminal elites to get very rich, and leaving their communities in a socially unsustainable situation.⁵⁰ Suada also believes that if Bosnia gets into the EU it will be even harder to increase social spending. The concern for social spending on the part of the state is indicative of two things. First, interviewees seek remedies that envisage an active role on the part of the state, reflecting expectations constructed around the Yugoslav socialist system where public authorities played a great role in determining the wellbeing of citizens. Second, interviewees suggest a redistribution of income through transfers to the weaker sectors of the population, which is an affirmative remedy that tackles the consequences of poverty in the present, rather than the originating causes and its future implications. While critical of the current situation and the transition, the remedies proposed do not push towards a radical

⁴⁷ Interview PR/15/13. Milorad Dodik is the President of Republica Srpska, leader of SNSD party.

⁴⁸ Interview PR/15/11.

⁴⁹ Interview PR/15/4.

⁵⁰ Interview PR/15/4.

change of the direction of the transition, but demand adjustments that would make it more bearable.

Lastly, the democratisation of decision-making is strictly connected to the affirmation of non-Serbs' right to participate equally to the socioeconomic development of the town. As we have seen in Section 2.1, socioeconomic marginalisation during the war and the transition also takes the form of exclusion from political participation. Democratisation, in Sakib's view, can only be achieved by removing the privileges of politically powerful figures linked to the Bosnian Serb elite governing the municipality.⁵¹ During his time as an employee of the waste management municipal company, he claims to have witnessed wrongdoings that were never properly investigated because the directors were part of the same political party as Prijedor's mayor.⁵² Other interviewees also share a concern for the equal participation of different groups in government, to be achieved by implementing the principles of power-sharing among different ethnic groups in a more equitable way. Belma, a former bank employee, now works with a political party trying to improve the condition of the Muslim minority in the Serb entity.⁵³ Mersad argues that remedying injustice requires having equal shares of Muslims, Croats and Serbs in government.⁵⁴ While before the war nationality was not used as criteria for categorising people, he now seems to have internalised the need for basing the institutional set up of Bosnia on the collaboration of separate ethnic groups. This need to have guarantees for the rights of different ethnic groups contrasts quite sharply with memories of the socialist past as a period of unity, as outlined in Chapter 4. Non-Serbs in Prijedor, given the overlap between the socioeconomic injustice they suffered as workers and the cultural injustice they suffered as non-Serbs, are influenced by the way in which international organisations framed the war as an interethnic conflict, and justice as the need to reconcile different ethnic groups (while marginalising their claims as workers). Interviewees seek the affirmation of their status rather than transformative remedies for socioeconomic and political injustice.

⁵¹ Interview PR/15/8.

⁵² Interview PR/15/8.

⁵³ Interview PR/15/15.

⁵⁴ Interviewee PR/15/16.

Addressing socioeconomic injustice through affirmative remedies entails, for non-Serbs in Prijedor, both the reaffirmation of the importance of ethnicity in post-war BiH and acceptance of a system that – albeit imperfectly – guarantees the rights of different groups. They make use of international justice discourses to establish their position in the post-war society, but still suffer from the marginalisation of socioeconomic justice issues. One striking feature of justice claims emerging in Prijedor is then, their concern with the present. They look back to the war and to the injustice suffered, and seek remedy for its direct consequences, which are visible today. Socioeconomic justice claims thus do not assume the ‘forward-looking’ character that is often attributed to it as a project of social transformation (Torpey 2003; Lambourne 2014).

5.3.2 *Justice claims in Zenica*

Contrary to Prijedor, socioeconomic injustice in Zenica was not perpetrated along ethnic lines, and relating to the transitional justice framework was thus more difficult. Justice claims in Zenica thus developed outside of the limitations of the transitional paradigm with a stronger concern for the systemic causes of the injustice rather than the simple redress of its outcomes. Remedying socioeconomic injustice in Zenica, then, will still entail a reorganisation of the distribution of income, the division of labour and property ownership, and the democratisation of decision-making (Fraser 2009, 13), but interviewees articulate their justice claims in a way that is more geared towards addressing the root causes of injustice, and establishing the basis for a fairer society in the future, rather than implicitly accepting the current system by calling for its reform.

The importance of employment was the first and most relevant element emerging from interviews conducted in Zenica. Instead of focusing on the restitution of jobs to those dismissed, or the restoration of workers’ rights, interviewees in Zenica tend to address more directly what they consider the root cause for socioeconomic justice: the privatisation process and the transformation of the economic system. Josip’s story and accounts are emblematic of the generalised distrust towards privatisation and concern for worker’s rights. When the war began, Josip kept his job at the steel mill but – like many of his colleagues – he was subject to rotations, delays

in pay and threats of losing his job if he left the city to protect himself from the conflict. In 1995, when the war was almost drawing to an end, he was called to report at the Bosnian army and decided to leave Zenica for a while, and stopped working for a few years. Once back at work the conditions had changed dramatically, because of the impending privatisation and sale of the steel plant to Mittal. The lack of specialised employees and competent directors, and the growing disrespect for previously established rules and workers' rights made the steel plant a very different work environment compared to the pre-war period in Josip's eyes. He was finally sent to early retirement as part of a reduction in workforce linked to the privatisation process. According to him, the workers should have been justly compensated and involved in deciding the future of the steel plant.⁵⁵ Other interviewees also ask for the reassessment of those privatisations that were conducted as 'robberies'⁵⁶, and for giving workers' a stake in the factory's management.⁵⁷ Workers in Zenica seem opposed to the influence of 'big business'⁵⁸ in privatisation processes and running former socially owned firms, and argue for the state to take an active role in opening up factories and restarting the economy.⁵⁹ Interviewees are aware of the environmental risks associated with the presence of heavy industry, but they are not ready to sacrifice neither their health nor their socioeconomic wellbeing.⁶⁰

With respect to the second theme emerging from conceptions of justice analysed in Section 5.2, the call for redistributing income or wealth does not solely translate in the demand for improved social services. Interviewees in Zenica argue for remedying injustice through much more radical redistributive measures. Following the collapse of the steel plant, interviewees in Zenica, just like in Prijedor, are concerned with the redistribution of income, and especially the fairness of salaries and pensions. Moreover, those who still work, or worked after the war, suffered from deteriorating work conditions that sometimes jeopardised their own safety in the risky environment of the steel mill.⁶¹ The remedies they propose for injustice,

⁵⁵Interview ZE/15/8.

⁵⁶ Interview ZE/15/14, worker from Zenica (Kadir), 1 August 2015; Interview ZE/15/17.

⁵⁷ Interview ZE/15/14 worker from Zenica (Azra), 1 August 2015.

⁵⁸ Interview ZE/15/15 (Kadir)

⁵⁹ Interview ZE/15/17.

⁶⁰ Interview ZE/15/2; Interview ZE/15/7.

⁶¹ Interview ZE/15/8; ZE/15/9.

however, have a more transformative nature in Zenica compared to Prijedor. Interviewees advocate for a deeper change in the system and the way in which contributions are made and salaries awarded. This includes, for instance, giving higher pensions to those who did the toughest jobs on the factory shop floor. Azra argues that the difference in salaries between the lowest paid jobs, such as cleaners or bakers, and qualified positions such as engineers, are not justified: after all, she says, the engineer cannot work without a clean office and bread.⁶² Kadir advocates for the equitable distribution of resources and for a 'Robin Hood' approach,⁶³ where the state takes from the rich (through heavier taxation, for example), and gives to the poor. Where socioeconomic injustice was not recognised as such by the international community, remedies proposed for injustice also seem to lie outside of the boundaries of the international approach to justice. They also run counter economic reforms introduced in the post-war period. Reducing inequality through a radical redistributive approach contrasts sharply, for instance, with Bosnia's fiscal system. Since the end of the war, BiH has a flat income tax rate of 10% (FIPA 2013),⁶⁴ which was introduced as part of a set of measures promoted by the international community with the aim of attracting foreign investments. Most importantly, international organisations engaged in fighting poverty and promoting better socioeconomic conditions in Bosnia do not perceive unemployment and social marginalisation as a matter of social injustice, and fail to understand how people's feelings of socioeconomic injustice might be linked to the war and the end of the socialist system. International reports often refer to socialist Yugoslavia with negative connotations, especially with reference to its legacy in the labour market (IMF 2015; World Bank 2015), or do not reflect sufficiently on the causes of social malaise and dissatisfaction (Konrad Adenauer Stiftung 2009; European Training Foundation 2006).

Lastly, the concept of expanded accountability put forward by interviewees corresponds to a call for democratising political and economic decision-making. Two aspects are particularly important here. Firstly, interviewees argue for more transparent policy-making at the national level, in such a way that prevents stronger international actors dictating Bosnia's economic and investment decisions, as well as

⁶² Interview ZE/15/14.

⁶³ Interview ZE/15/14 (Kadir).

⁶⁴ This is separate from social security payments.

labour regulations. Some interviewees express critical opinions on the presence of a large number of foreign banks.⁶⁵ This is due to the early liberalisations of the financial system promoted by international financial institutions after the war. Financial liberalisation increased the availability of credit, which was however mostly used for consumption purposes rather than in economically productive ways.⁶⁶ Several interviewees also express opposition to the continuous reliance of the government on external support, such as loans from the IMF. Josip, for instance, says: 'a child is not even born, will be born in 10 or 5 years, but already has debts to repay. And for whom? For those who take loans from the International Monetary Fund to pay for their salaries, nothing else. We work for them and people suffer.'⁶⁷ IMF contributions to BiH, conditioned upon progress in meeting certain conditions and carrying out reforms (such as new labour laws to be adopted at entity level), are paid directly into the country's budget, and thus contribute to the disbursement of public salaries (as well as pensions).⁶⁸ The threat of cutting financial help, then, effectively translates into a threat that the state will not be able to pay salaries and pensions (which are often late anyway) as of the following month. This contributes to tightening Bosnia's dependence from IFIs, and the IFIs' commitment to Bosnia's macroeconomic stability. For people in Zenica, remedying socioeconomic injustices linked to the lack of accountability requires remedies that fall outside of the scope of transitional justice concerns, and that are in line for the preferences for transformative remedies that challenge the way in which the transition process has been conducted.

Second, political democratisation is also presented as a transformative justice claim. Democracy, as argued by Kadir, cannot be reduced to the practice of voting.⁶⁹ Changing voting preferences is not sufficient to bring about the transformation needed to redress socioeconomic injustice. Since the origins of the injustice lie in the war and in the system that came out of that war, it is that system that should be changed. Many interviewees support the idea that the political institutional structure

⁶⁵ Interview ZE/15/14 (Azra).

⁶⁶ Interview SA/15/5.

⁶⁷ Interview ZE/15/8.

⁶⁸ Interview SA/15/5.

⁶⁹ Interview ZE/15/14 (Kadir); See also Interview ZE/15/14 (Mediha) and Interview ZE/15/16, worker from Zenica (Ifeta), 5 August 2015.

established with the Dayton Peace Agreement is no longer viable.⁷⁰ Abolishing Dayton would involve removing the two entities as levels of government, which are perceived as corrupt and as eating up the country's resources instead of contributing to its wellbeing and development. The two entities, Republika Srpska and the Federation of BiH, are institutionally responsible for carrying out privatisations in BiH, and for approving the new Labour Laws that were being discussed at the time of my fieldwork in the summer of 2015. It is therefore understandable that interviewees in Zenica feel particularly strongly against the institutional framework deemed responsible for the continuation of socioeconomic injustice throughout the transition period.

Transforming Dayton, for many interviewees, would also entail getting rid of the ethnic differences between Bosniaks, Croats, Serbs enshrined in the Constitution.⁷¹ As Josip puts it: 'We were used to that system, we were used to being all together and to help one another. That is the way forward.'⁷² The frustration with ethnic divisions within the country and the transformative aspiration to make them irrelevant in a united Bosnia illustrate the underlying tension arising from the clash of socioeconomic justice, promoting a politics of equality, and cultural justice, promoting a politics of difference (Fraser 2009, 10). In this respect, the limited reach of the transitional justice discourse among those who suffered socioeconomic justice in Zenica might have impaired the development of a pluralist perspective on the makeup of Bosnia's post-war society. From a political standpoint, calls for uniting Bosnian citizens are often interpreted as an attempt of cultural domination on the part of the majority Bosniak (Muslim) group in BiH over Serbs and Croats and therefore resented by the two latter groups. The call for being united as 'Bosnians', often emerging from socialist memories of 'brotherhood and unity' from the point of view of interviewees, becomes enmeshed with nationalism in the political landscape characterising the country.

These three types of justice claims also show that achieving socioeconomic justice in Zenica is understood as a forward-looking endeavour (drawing on Torpey

⁷⁰ Interview ZE/15/14 (Azra); Interview ZE/15/16 (Ifeta); Interview ZE/15/8; Interview ZE/15/15, worker from Zenica (Dina), 2 August 2015; Interview ZE/15/14 (Mediha).

⁷¹ Interview ZE/15/14 (Mediha); Interview ZE/15/8; Interview ZE/15/15 (Dina).

⁷² Interview ZE/15/8.

2003 and 2007). They not only call for addressing the consequences of the recent past in the present 'transitional' phase, but for the establishment of a fairer society that the post-socialist transition has not been able to deliver. Given the mismatch between their experiences and the justice narrative promoted by the international community, people in Zenica focus more on the faults of the system generating socioeconomic injustice. Remedying socioeconomic injustice here requires actions that go well beyond addressing the outcomes of the war and privatisation processes. Instead of advocating for political changes within the Federation, or the BiH state, citizens in Zenica take issue with the post-war set as a whole. The entity system is challenged, as is the role of political elites and the international community in perpetuating power relations that disempower local communities in cities like Zenica. Lacking reference to a broader justice narrative, justice claims and remedies seem to develop within the specific context of the city, and seek the future-oriented transformation of those aspects of liberal democracy and market economy that have disempowered and marginalised their community.

5.4 Conclusion

While from the perspective of the international community, doing justice in post-war Bosnia entailed prosecuting war criminals through the work of the ICTY and Bosnian courts, experiences of injustice were much broader and included socioeconomic violence that could not be addressed through a retributive approach. Conceptions of justice developed by interviewees, recalling the importance of work, socioeconomic redistribution and welfare, thus fall largely outside of the transitional justice framework. Despite the arguments advanced by some scholars who maintain that transitional justice efforts represent only a 'set of tools for effecting social change', which 'can make an important contribution to it but will not bring about a radical transformation of society' (Duthie 2010, 255), and thus question the relevance of socioeconomic justice for its framework, the findings presented here call into question the predominantly legalistic and recognition-focused approach often implemented in the aftermath of conflict. They suggest that more careful consideration should be given to different dimensions of injustice, and that local

communities should play a more relevant role in defining the content and scope of justice interventions in transitional contexts.

The chapter stresses once again the differences between the cities of Prijedor and Zenica. In Prijedor, where socioeconomic injustice occurred along interethnic lines, the work of transitional justice mechanisms still seemed more relevant, in the eyes of the interviewees, in order to address injustice. The discourse of remedying to interethnic violence could be transposed on to their experience of socioeconomic injustice, and referred to by interviewees when expressing their ideas of what justice means for them and how it should be achieved. They could make more use of the transitional justice discourse, but socioeconomic justice claims that mattered to them still remained unaddressed. In Zenica, on the other hand, experiences of socioeconomic injustice were entirely separate from the justice issues identified by the international community and addressed through ICTY trials. Their socioeconomic grievances were understood as the unfortunate short-term consequence of the transition to capitalism, to be addressed through economic policies and further reform. Citizens of Zenica propose bolder and more future-orientated remedies for socioeconomic injustice, while participants from Prijedor can make more use of the international attempts to remedy interethnic violence, and the remedies they propose do not necessarily challenge the boundaries of the transition process. The chapter also shows that Bosnian people hold inclusive and holistic conceptions of what justice means, and that these conceptions often sit uneasily with the universalising narratives reducing justice to common standards and mechanism applied across different contexts. The common narrative of justice as remedying interethnic violence, for instance, does not fit the experiences of all communities (or might fit one's experience as a Muslim, but not the same person's experience as a worker). Dismissal from a job could be interpreted through the transitional justice framework if linked to interethnic discrimination, but cannot if related to the privatisation process.

Justice, as Hinton (2010, 17) says, 'is always enmeshed with locality'. Conceptions of justice, including socioeconomic ones, vary greatly, both in their content and in the remedies deemed necessary to address injustice. They are linked to specific experiences of injustice, which vary from city to city, and depend on the different ways in which the international intervention interacts with these different

local contexts. This specificity of the city/town context will be visible in the justice claims brought forward by the 2014 protest movement, discussed in Chapter 6. The civic and non-nationalist nature of the movement is concerned with raising issues that, while often affecting the BiH territory as a whole, often concern their cities or towns in particular ways. This also allowed for the development of a greater connection between the movement and common citizens, which was an important feature of the protest movement.

CHAPTER 6

MOBILISING FOR SOCIOECONOMIC (IN)JUSTICE: THE 2014 PROTESTS, THEIR ORIGINS AND AFTERMATH

This chapter turns to analysing the relationship between socioeconomic justice and agency, by addressing the key question of whether experiences of injustice and conceptions of justice can represent the basis for the expression of social mobilisation and protest. Chapter 6 contributes to the overall argument of the thesis by showing how social mobilisation for redistribution can indeed be interpreted as the expression of unsettled and persisting socioeconomic injustice. The origins of the 2014 protests can thus, at least in part, be traced back to socioeconomic injustice experienced during the war and transition, and to the situation of post-industrial cities and towns. Justice claims of redistribution in the 2014 protests also contributed to the growth or strengthening of a type of social activism that differentiates itself from the work of established NGOs. At the same time, and in line with what is argued throughout the thesis, the protests also illustrate the limitations of the international intervention in making sense of socioeconomic claims as justice issues, and its role in shaping the discourse on socioeconomic reforms and in delimiting public participation to formal interlocutors – even when faced with a largely informal and civic movement of citizens. It is precisely in social struggles such as the 2014 protests, and outside formal political institutions, that the links between transitional justice, peacebuilding and neoliberal economic reform become particularly visible, and where conceptions of justice have been most contested.

This thesis' focus on the concept of socioeconomic justice, as previous chapters have already indicated, requires taking post-socialism in serious consideration for understanding social mobilisation around socioeconomic issues. While we must give credit to transitional justice and peacebuilding scholars for pointing out the gap existing between international institutions and the local communities (see for instance Belloni 2007; Orentlicher 2007), thus prompting international actors to rely

more on 'local ownership' (Donais 2009), and for offering in-depth insights into the relationship between international mechanisms and local constituencies (see for instance Subotić 2009; Nettelfield 2010; Ivković and Hagan 2011), much less attention has been dedicated to civic movements. A number of works on the non-governmental sector, including associations of victims and veterans, have been published in the past years (see for instance Fagan 2005; Delpla 2007; Helms 2013), but the literature on social movement studies has been gathering momentum over the past few years (see Fagan and Sircar 2013; Horvat and Štiks 2015, Milan 2015 and 2016). Moreover, while connecting the critical literature on peacebuilding and transitional justice (and its liberal thrust; Sriram 2007; Leebaw 2007; Nagy 2008) is instrumental to show how complex international interventions can marginalise experiences of socioeconomic injustice (and thus potentially contribute to the emergence of popular discontent), the influence of socialist legacies and of the fall of the socialist system on the development of social activism still demands greater attention. This chapter brings together these concerns in analysing the origins, emergence and aftermath of the 2014 Bosnian protests, prompted by workers' protests in Tuzla and quickly expanding to the rest of the country.

Chapter 6 begins by tracing the material and ideational sources of the mobilisation around socioeconomic justice, and focuses on the situation of post-industrial towns and previous experiences of mobilisation in Bosnia and around the region. The second section of this chapter gives an overview of the protests, followed by an analysis of the justice claims advanced by the activists. This section concludes by connecting the issue of political participation and transformative strategies to the participatory approach of the protest movement, and remarking its differences with the professional NGO sector. The last section of this chapter situates the development of socioeconomic justice claims within the framework of the international intervention. Socioeconomic justice claims, this chapter shows, could not be understood within the parameters of transitional justice and peacebuilding as defined by the international community in the Bosnian setting. The international community responded to the protests by reframing the issues raised as socioeconomic problems to be solved through the implementation of reforms that would complete Bosnia's transition towards a market economy (Majstorović et al. 2015). Intersecting with a process of partial dissolution and partial consolidation of

the groups that took part in the protests, the international intervention also favoured a model of social engagement more similar to the civil society envisaged in the liberal peace paradigm, over the more horizontal and direct forms of participation used by the protesters that are more resembling of new forms of political engagement emerged in the post-2008 crisis period elsewhere in Europe (Kaldor and Selchow 2015). A different approach to supporting activist groups has been adopted by the so-called Austrian Initiative, prompting questions over the potential of alternatives to conventional donor support for civil society groups. Chapter 6 concludes by reflecting on the implications of the protests and their aftermath for understanding the complex relationship between transitional justice and socioeconomic justice, between local conceptions of justice and international ones, and between local capacities to act and the constraints and possibilities offered by international interventions.

6.1 The sources of discontent and the struggle to mobilise

Given the bleak social situation of the country, and the fall in the standards of living compared to the socialist period, the 2014 protests seemed to arrive quite late. This section analyses their origins, both material and intellectual, as well as the potential obstacles to social mobilisation posed by the transition itself. In doing this, it also shows the relevance of the socialist legacy for understanding both those elements that facilitated social mobilisation (especially on the part of the workers and the progressive left), and those that might have hampered the organisation of dissent.

6.1.1 The material sources of the protests: Bosnia's post-industrial towns

The 2014 protests had their origins in the industrial city of Tuzla, in eastern Bosnia. While the protest movement gathered strength in the capital Sarajevo, as well as in smaller towns, industrial cities like Tuzla, Zenica, or Mostar, and their population of frustrated and alienated workers represented the backbone of the protests. The material sources of discontent lie precisely in social and economic problems that are present throughout Bosnia, but particularly visible in its industrial centres. These can be traced back to the war, to the subsequent establishment of the Dayton institutional

framework, and to the economic reforms promoted during the transition process. Zenica and Prijedor, whose cases this thesis takes in particular consideration, fall within the remit of this discussion and exemplify many of these problems.

The Bosnian war affected industrial cities to varying extents, depending on their location and strategic importance for the conflict. In some cases, the war did not physically destroy industrial facilities. The city of Tuzla, for instance, was shelled by Serb forces during the war, but there was no direct fighting within the city. Its industrial complex did not suffer physical damage (Bojicic and Kaldor 1999, 103). Similarly, fighting was fierce in rural areas near Zenica, but – while the city centre was shelled by Croat forces during the war – there was no fighting within the city itself. On the other hand, Mostar was heavily damaged by the conflict, which saw Serb forces attack first, followed by clashes between Croat and Muslim forces that ended in the separation of the city along ethnic lines. Industrial facilities around Prijedor mostly ceased production as a result of the conflict, and were in some cases used as prison camps by the Crisis Staff, as in the case of the Omarska iron ore mine and the Keraterm ceramics factory. Overall, according to one estimate reported by Bojicic and Kaldor (1999, 94), Bosnian industry operated to five or six percent of its capacity during the war. Regardless of the physical damage of the war, the industrial sector in Bosnia was, indeed, severely hit by the loss of markets that came with the disintegration of Yugoslavia (World Bank 2015), and by the internal fragmentation of the country itself. The social consequence of this was a dramatic increase in unemployment, also linked to participation in the war effort, especially by the male adult population. By 1998, the productive sector employed only 53% of the workforce it did in 1991 (Jahović 1999, 94).

At the same time, the end of the war did not necessarily reverse its negative consequences on the economic system, especially in industrial areas. The new BiH Constitution included in the Dayton Peace Agreement crystallised the division between a Serb-dominated part of the country (the RS entity) and Muslim-Croat territory (the FBiH entity), and thus failed to create a single economic and political space. According to Divjak and Pugh (2008), such fragmentation prevented the establishment of a social contract between citizens and the state and consequently contributed to the emergence of local patron-client relations and corruption practices. Corruption poses further obstacles to economic recovery, because foreign investors

are reluctant to expose themselves to such illegal activities and the risks they entail (Divjak and Pugh 2008, 377). Paradoxically, the international presence for peacebuilding and statebuilding purposes also intertwined with illicit practices, such as involvement in arms trafficking and black market economy, in a 'symbiotic relationship' that continued after the war (Andreas 2009).

The side effects of the Dayton framework, such as corruption and lack of institutional transparency, posed serious challenges for the economic recovery of industrial centres, for instance by slowing down and obfuscating the regularity of privatisations. Before the war, the Bosnian economy was mostly driven by 12 conglomerates, which allegedly produced about 35% of its GDP (World Bank 2015, 2). When the war ended, many of the large public enterprises, which constituted the main source of employment for industrial towns, were in acute need for restructuring (Pugh 2005b, 451), but international organisations argued for privatising firms first. This drove the value of the companies down and created difficulties in finding interested investors. It also attracted buyers with little interest in restarting production, leading to asset-stripping and the consequent closure of facilities (Donais 2005, Stojanov 2001). In the meantime, a large part of the workforce was left unemployed or on 'waiting lists' while employers would still have to pay contributions for them. According to the labour law approved in 1999, 'waiting lists' were to be cleared by May 2000: at that point, the employer had to either recall employees back to work or give severance pay. As mentioned in Chapter 3, this provision, however, proved extremely difficult to implement due to lack of funds.

While the privatisation process has already been discussed in Chapter 3, here it will be sufficient to say that the decision to adopt the voucher model¹ led to the concentration of resources in the hands of powerful and politically well-connected individuals through the secondary trading of certificates, often sold for a fraction of their nominal value (Donais 2002). At the same time, citizens struggling with economic difficulties and unemployment turned to other available forms of credit, either through informal debt or microcredit. Microcredit often worked alongside informal debts as a survival mechanism for the Bosnian lower and middle classes

¹ See Federal Agency for Privatization, Model of Privatization, <<http://www.apf.com.ba/model-privatizacije/Default.aspx>>, accessed 29 August 2016.

(Jasarević 2012). Aside from the inflated growth of the reconstruction period in the immediate aftermath of the war, and the temporary employment associated with it, the transition process did not alleviate the medium- or long-term decline of industrial cities in Bosnia and Herzegovina. Given the high rates of unemployment, and the dramatic decline in living conditions compared to the socialist period, it is not surprising that industrial cities were the nucleus and material source of the 2014 protests. The following section turns to the ideological and historical roots of the protest movement.

6.1.2 The intellectual origins of the protest movement

Despite the common claim that the Bosnian society is characterised by a certain 'political passivity' (Weber 2014, 10), historical evidence challenges this simplistic depiction. Working class cities such as Tuzla had their first organised strikes already at the beginning of the twentieth century (Kurtović 2015, 652), while later on many Bosnian citizens took part in the partisan resistance in the Second World War. Even during socialist times, despite political control and limited opportunities to organise forces outside of the system, workers' protests became increasingly common during the economic crisis of the 1980s, as in the rest of Yugoslavia (Lowinger 2009).² Andjelic (2003, 81-83) notes that, during the 1980s, student protests and youth political activism were gaining strength in Sarajevo, while in Zenica and Tuzla citizens started protesting against pollution caused by the metallurgy plans. In one instance, in January 1989, 'around 40 citizens took to Zenica's streets to protest against the pollution. They even went to the local radio and government buildings to protest', something which nobody had dared to do in the past (Ibid., 83). In the run-up to the war (and even as the war went on), peace activism emerged in Bosnia as in other former Yugoslav republics, as extensively documented by Bilić (2012). While not providing a comprehensive overview of social activism in Bosnia over the past decades, this section suggests that some recent instances of mobilisation, and contacts among activists from the Southeast European region, 'prepared the territory' for the 2014 protests.

² This is also frequently mentioned by interviewees in Prijedor and Zenica.

First, the 2014 protests occurred after other instances of civic mobilisation taking place in different parts of Bosnia over the previous years. In 2012, citizens in Banja Luka protested against the proposed development of a public park, with thousands taking the streets facing police repression. As Štiks (2015) notes, this protest can be seen in line with other similar instances in Croatia and Serbia, and part of a broader movement for the 'right to the city' (*pravo na grad*). Most relevantly, it represented an important instance of civic activism and helped the formation of networks and groups that fight for broader social justice issues in Banja Luka.³ Following the Banja Luka protests, Sarajevo witnessed in 2013 the largest demonstrations of the post-war period (until the 2014 protests). In this case, citizens began protesting after the national parliament failed to make changes to the Law on the unique citizen ID number (*Jedinstveni Matični Broj Građana*, JMBG), which the Constitutional Court had requested two years before. As a result of this failure, babies born after February 2013 could not be assigned citizen numbers and were thus not able to exercise some important rights, and get passports (Armakolas and Maksimovic 2013). The protests – usually referred to as JMBG protests or '*bebolucija*', from *beba* (baby) and *revolucija* (revolution) – began in early June 2013, when the parents of seriously ill babies who needed to travel abroad for treatment made public pledges to the government and fellow citizens. Between 5 and 6 June, MPs were prevented from exiting the parliament building by protesters, who threatened to stay until a solution was found.

The 'baby revolution' was, remarkably, characterised by an anti-nationalist character, and a bottom-up approach reflected in the spontaneity of the mobilisation and the absence of leaders (Keil and Moore 2014). In this, it resembled other forms of mobilisation of the post-socialist left in other former Yugoslav countries (Štiks 2015). The 2013 protests weakened the nationalist rhetoric of the political elites by 'giving political meaning to what they strived to destroy – namely the common citizenship of all Bosnians and Herzegovinians' (Keil and Moore 2014, 58), and by showing to those very elites that the Dayton framework had lost social legitimacy. This newly acquired ability to unite citizens around socioeconomic concerns, and against the

³ See the Environmental Justice Atlas, <<https://ejatlas.org/conflict/the-park-is-ours-banja-luka-bosnia-and-herzegovina>>, accessed 1 September 2016.

ruling ethno-nationalist elites, represented a key antecedent for the 2014 protests. According to Armakolas and Maksimovic (2013, 10), who consider the protests an instance of 'civic awakening', the JMBG issue was both a trigger for expressing political discontent, and the basis around which a 'deeper and bottom-up socio-political consciousness' could develop.

Second, the wave of small and medium-scale protests that characterised the Southeast European region in the aftermath of the financial crisis was supported by the emergence of networks of activists, mostly from the progressive left. The contacts among them, and the intellectual work done around some key themes common to post-socialist countries, is also pivotal for understanding the character of the 2014 protests. In May 2012 and 2013, the Balkan Forum brought together in Zagreb activists from the progressive, post-socialist left, allowing them to gather and exchange ideas. Supported by the Rosa Luxembourg Foundation, activists split into different working groups that reflected on issues of social justice, workers' rights, struggle for the commons, and the 'crisis of electoral democracy and the need for deep democratization of Balkan societies' (Bibić et al. 2014, 10). The themes explored by these working groups, and their conclusions presented at the 2013 Forum and published in a short volume, anticipate some of the issues that will take centre stage during the 2014 protests in Bosnia and Herzegovina. The working group on workers' struggles, for instance, noted the 'very unfavourable' conditions created by privatisations, inequality and precarity (Working Group on Workers' Struggles 2014, 36). It discussed the role of trade unions in protecting workers and the negative legacies of the Yugoslav period, while also noting that the 'sense of confidence' and 'feeling of a shared collective fate' that characterised the socialist working class are aspects upon which workers' struggles can be rebuilt today (Ibid., 40). The Commons Working Group (2014, 13-18), on the other hand, focused on the dispossession of public goods, public space, and the environment, common within the context of post-socialist privatisation, and calls for joining social justice and environmental justice struggles. Lastly, the Forum advocated for the strengthening of political participation, for instance through the practice of direct democracy (Democratisation and participation Working Group, 2014). Decent work and pay, the right to the commons, and direct democracy, as Section 6.2 will show, are key themes of the 2014 protests, connecting under the umbrella of social justice. Before moving to the

analysis of the protests, and the role of socioeconomic injustice in engendering them, it is important to clarify the position of those workers from Prijedor and Zenica who personally suffered from it.

6.1.3 Workers in Prijedor and Zenica: survival strategies and 'getting by'

The 2014 protests, as the previous sections show, were long in the making – both from a material point of view and because of the longstanding engagement of progressive activists on the left. Political discourses by elites (sometimes supported by international rhetoric) tend to label positive opinions of socialism as 'yugonostalgia' (Lindstrom 2005; see also Calori 2016), which is seen as contributing to social immobility, representing a symbol of being stuck in the past and refusing to change.⁴ The previous two sections, as well as the rest of this chapter, however, show that the legacy of socialism is an extremely important factor of mobilisation for social justice in BiH. In order to help understand why such mobilisation only materialised on a large scale in 2014, this section reflects upon the role of workers from Prijedor and Zenica and brings to light some empirically observable elements that might have hampered this process.

It is particularly telling that workers in Prijedor and Zenica, whose stories were presented in Chapter 4 and 5, mostly shun active involvement in protests. Several factors appear to be related to this. Age and generational change is one of these elements: 'we need young people to get up from internet, to get up from the cafes and become active and change things'.⁵ Another interviewee, from Prijedor, concurs: 'Those who came back [after the war] are now all older people, maybe they can get by with their pensions. Young people are rebellious and that is good. Older people are not rebellious. Young people organise a few protests, we older people participate, (...) but we do not organise them'.⁶ Similar opinions were voiced

⁴ See for instance: EU Delegation to Bosnia and Herzegovina, Compact for Growth and Jobs, available at <http://europa.ba/wp-content/uploads/2015/05/delegacijaEU_2014090816171626eng.pdf> accessed 10/09/2015.

⁵ Interview ZE/15/8, worker from Zenica (Josip), 30 June 2015.

⁶ Interview PR/15/4, worker from Prijedor (Suada), 12 July 2015.

frequently by interviewees, and by informants outside of interview settings.⁷ On the other hand, the potential for mobilisation is also being diminished by people's ability to 'get by' (*snalaziti se*), as they say, while on minimal pensions,⁸ working in the grey economy,⁹ working one's own small lot of land and often selling fresh produce,¹⁰ or – very commonly and often in addition to these – relying on remittances from the Bosnian diaspora.¹¹ The latter finding is not surprising, if we take into account that many Bosnians who became refugees during the war settled in the countries that hosted them. The total number of emigrants from Bosnia holding BiH citizenship was estimated at 1.2 million by the state Ministry of Security in the year 2011 (Bosnia and Herzegovina Ministry of Security 2012). Remittances into Bosnia accounted for 11.1% of the GDP in 2015.¹² In 2014, \$1,567 million were received by Bosnian residents in personal transfers from abroad.¹³ Receiving sufficient financial support from relatives abroad, combined with other survival strategies such as growing vegetables or fruit for local markets, might contribute to maintaining social peace in Bosnia. As one interviewee puts it: 'it will pass, if we have enough for the bread, we won't rebel'.¹⁴ The recent changes in visa regimes with respect to European countries represent a further relief valve: Bosnian citizens are allowed visa-free travel to the Schengen Area for stays of up to three months (within a six-month period).¹⁵ As several interviewees

⁷ See for instance interview PR/15/8, worker from Prijedor (Sakib), 14 July 2015; interview PR/15/12, worker from Prijedor (Jasna), 16 July 2015.

⁸ Interview PR/15/13, worker from Prijedor (Nefisa), 19 July 2015.

⁹ Interview PR/15/12, worker from Prijedor (Jasna), 16 July 2015.

¹⁰ Interviews ZE/15/5, worker from Zenica (Zijad), 13 June 2016; ZE/15/15, workers from Zenica, 2 August 2015; PR/15/7, worker from Prijedor (Maja), 14 July 2016; ZE/15/14, workers from Zenica (Azra), 1 August 2015.

¹¹ As some interviewees point out, emigration due to the war also meant that many people who used to be employed did not seek to return to their jobs after the war, see Interview ZE/15/14 and Interview ZE/15/5. Almost all interviewees mention remittances from the diaspora as a key survival mechanisms for Bosnian residents.

¹² Including compensation of employees and personal transfers. Source: World Bank, Personal remittances, received (% of GDP), World Bank staff estimates based on IMF balance of payments data, and World Bank and OECD GDP estimates, available at <<http://data.worldbank.org/indicator/BX.TR.F.PWKR.DT.GD.ZS?end=2015&locations=BA>>, accessed 11 August 2016.

¹³ Data for 2015 are not yet available. Source: World Bank, Migration and Remittances Factbook 2016, available at <<http://go.worldbank.org/QGUCPJTOR0>>, accessed 11 August 2016.

¹⁴ PR/15/15

¹⁵ See DG Migration and Home Affairs, Visa Policy, at <http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/borders-and-visas/visa-policy/index_en.htm>, accessed 1 September 2016.

point out,¹⁶ people use this as an opportunity to (informally) work in Germany or Austria and support their families in Bosnia with their income for several more months. If they could, some interviewees argue, people would not return from their temporary jobs to Bosnia: 'if they opened the borders here, no one would be left, no one'.¹⁷ Beyond voicing justice claims, as we have seen in Chapter 5, the dissatisfaction of workers – and many other Bosnian citizens – is expressed in terms of social and economic survival rather than protest. In addition to this workers do sometimes engage in visible acts of a political nature, including the expression of solidarity or criticism towards the protests.¹⁸ Some of them took the streets in February 2014,¹⁹ or say they support local actions organised by younger groups, such as the White Armband Day in Prijedor. In this respect, it is important to note the difference between Zenica, where the 2014 protests saw the participation of thousands of citizens, and Prijedor, where social mobilisation occurred, but on a much smaller scale.²⁰

The presence of an extensive welfare system and the role of trade unions as interlocutors of, rather than opponents to, the management and the government, had already somehow 'lulled'²¹ people into being socially inactive. However, it is also true that workers' protests had become more and more common as the economic crisis hit Yugoslavia during the 1980s, and actually represented the basis for shifting the background of the mobilisation from socioeconomic to nationalist issues ahead of the war. If, after the war, any feeling of passivity was present as a legacy of socialism, the new Constitution approved at Dayton further aggravated the situation. The division of competences between levels of government (state, entity/district, canton, and municipal) leaves citizens unsure as to what the target of their claims might be, as it also emerged during the 2014 protests (see Section 6.2). In addition to that, the electoral and institutional systems incentivising ethnic voting have resulted in the diffusion of patronage and clientelism, with a consequent reduction in accountability

¹⁶ Interviews PR/15/7; PR/15/17, worker from Prijedor, 19 July 2015; ZE/15/14.

¹⁷ Interview ZE/15/8.

¹⁸ See Interview ZE/15/8.

¹⁹ A few interviewees continued to be engaged with Plenum Zenica for a while.

²⁰ This is due, in part to differences between the Federation and Republika Srpska. See Section 6.2.

²¹ Interview ZE/15/14 (Mediha).

on the part of the politicians towards the citizens (Divjak and Pugh 2008). Lastly, the international community also played a role. While not being electorally accountable to Bosnian citizens, the politically liberal and economically neoliberal spirit of the intervention effectively diverted the scope of debates and agency away from socioeconomic justice issues.

6.2 The 2014 protests

This section turns to the analysis of the 2014 protests, of the justice claims they raised and the forms of participation they employed. From this analysis it appears evident that socioeconomic justice concerns that had been marginalised were at the heart of the protests, and that they built on experiences of socioeconomic and political injustice to envisage a transformative approach to redressing injustice; and that the mobilisation involved common citizens and activists that did not form part of the civil society as defined and shaped by the international commitment to peacebuilding. Before moving to the analysis of justice claims and forms of mobilisation taken by the 2014 protest movement, a brief account of the protests will be given below, with the aim of providing a background for the substantial discussion that follows.

6.2.1 From Tuzla to the plenum movement: the February 2014 protests in brief

The 2014 protests originated in Tuzla, a city developed thanks to the industrial sector during the Yugoslav period, but that had been facing deindustrialisation, failed privatisations and rising unemployment throughout the transition period. While strikes and small protests had been happening in Tuzla for years as a result of this situation, in February 2014 a demonstration organised by frustrated workers in front of the cantonal government building managed to gain national attention. After police reacted forcefully to the escalation of tensions on February 5th, with dozens of people arrested and injured, an even greater number of demonstrators went on the streets on the following day, and protests started occurring in solidarity with Tuzla in Sarajevo, Zenica, Mostar and other Bosnian cities and towns, particularly in the

Federation entity. Originated from the claims of workers of failed companies in Tuzla, the scope of the protests quickly broadened, with demonstrators calling for the resignation of governments at the cantonal, entity and state level, the revision of privatisation agreements, as well as an end to privileges accorded to political elites and to corruption.²² The Prime Minister of the Tuzla cantonal government presented his resignation on February 7th, soon to be joined by three more cantonal PMs over the following days (Jukić et al 2014; Mujkić 2015, 631). The events were remarkable as they saw the participation of thousands of citizens throughout Bosnia, and because citizens decided to take the protest forward by organising open assemblies where they could discuss and elaborate their demands to politicians.

In almost each city where demonstrations were held, groups of citizens established a 'plenum', defined as a 'an assembly of all the members of a group', a 'public place for debate and discussion, without prohibitions and without any hierarchy amongst the participants, at which decisions are made'.²³ The first plenum meetings in Tuzla and Sarajevo were held on the 12 February and continued over the following days and weeks, with the participation of hundreds of citizens filling the Tuzla National Theatre and the Dom Mladih (youth centre) Skenderija in Sarajevo.²⁴ Other plenum meetings were held in Brčko,²⁵ Mostar,²⁶ Zenica,²⁷ Bugojno,²⁸ and

²² See Section 2.2 for a comprehensive discussion of the protest demands and how they relate to socioeconomic justice issues.

²³ Announcement of the Citizens Plenum in Tuzla, 12 February 2014, BH Protest Files, available at <<https://bhprotestfiles.wordpress.com/2014/02/12/announcement-of-the-citizens-plenum-in-tuzla/>>, accessed 1 September 2016. See section 2.3 for a comprehensive discussion of the transformative form of mobilisation taken by the plenum movement.

²⁴ Announcement of the Citizens Plenum in Tuzla, 12 February 2014, BH Protest Files; ^{2nd} Declaration of Sarajevo Citizens' Plenum, 10 February 2014, BH Protest Files, available at <<https://bhprotestfiles.wordpress.com/2014/02/10/2nd-declaration-of-sarajevo-citizens-plenum-sarajevo-4/>>, accessed 1 September 2016.

²⁵ Announcement: First meeting of the Brčko District Citizens' Plenum, 11 February 2014, BH Protest Files, available at <<https://bhprotestfiles.wordpress.com/2014/02/11/announcement-first-meeting-of-the-citizens-plenum-of-brcko-district/>>, accessed 1 September 2016.

²⁶ Demands of the Citizens' Plenum of Mostar, 13 February 2014, BH Protest Files, <<https://bhprotestfiles.wordpress.com/2014/02/13/demands-of-the-citizens-plenum-of-mostar/>>, accessed 1 September 2016.

²⁷ Zenica Protestors Deliver Their Demands, 10 February 2014, BH Protest Files, available at <<https://bhprotestfiles.wordpress.com/2014/02/10/zenica-protestors-deliver-their-demands-to-cantonal-government-zenica-1/>>, accessed 1 September 2016.

²⁸ Second Bugojno Citizens' Plenum: Declaration, 12 February 2014, BH Protest Files, available at <<https://bhprotestfiles.wordpress.com/2014/02/13/second-bugojno-citizens-plenum-declaration/>>, accessed 1 September 2016.

others.²⁹ Protests and assemblies also took place in Banja Luka and Prijedor,³⁰ although overall demonstrations were more concentrated in the Federation than in Republika Srpska. Stricter social control and manipulation on the part of nationalist propaganda are partly to blame for the lack of momentum behind social mobilisation in the Serb entity.³¹ Despite this, groups of activists from RS remained active after the protests, built networks with activists from the Federation, and took part in follow-up activities such as the Austrian Initiative (see Section 6.3).

The protests also brought physical damage to government buildings in several cities. In Tuzla, already on February 6th protesters threw stones and eggs at the cantonal government building, which had formerly hosted SODASO, one of the companies that used to be a major employer in the area during socialist times. The building was then set on fire and badly damaged.³² During mass protests in Sarajevo on February 7th, the building of the cantonal government was set on fire, while the nearby state presidency building and cars parked in the area were also hit (Dzidić 2014a; Ikić Cook and Jukić 2014). The police was also responsible for excessive use of force against protesters, journalists and passers-by. Human Rights Watch documented 19 cases of police violence occurred in Sarajevo and Tuzla between February 5th and 9th (Human Rights Watch 2014). Activists reacted to accusations that the protests were led by violent ‘hooligans’, by condemning violence and pointing at the Bosnian authorities’ responsibilities. The statement of the Ženska Mreža Bosne i Hercegovine (Women’s Network of Bosnia and Herzegovina) argues that ‘Bosnia and Herzegovina has become a country which does not guarantee the basic social, economic, and political rights’, and that the young people responsible for what happens during the protests ‘are not hooligans or vandals, but the product of the

²⁹ Highlights of the week ending Sunday, 2 March 2014, BH Protest Files (3 March 2014), available at <<https://bhprotestfiles.wordpress.com/2014/03/03/highlights-of-the-week-ending-sunday-2-march-2014/>>, accessed 1 September 2016.

³⁰ Banja Luka: New Protests on Saturday – “We will call all poor people to come out to the streets”, 19 February 2014, BH Protest Files, available at <<https://bhprotestfiles.wordpress.com/2014/02/19/banja-luka-new-protests-on-saturday-we-will-call-all-poor-people-to-come-out-to-the-streets/>>; Prijedor Citizens’ Demands, 10 February 2014, BH Protest Files, available at <<https://bhprotestfiles.wordpress.com/2014/02/10/prijedor-citizens-demands-prijedor-1/>>. Both accessed 1 September 2016.

³¹ See Interview PR/15/18, Activist from Prijedor, 21 July 2015.

³² The Tuzla Cantonal Government has since moved their offices to another building in Tuzla.

Bosnian-Herzegovinian state and society' (Ženska Mreža Bosne i Hercegovine 2014).³³

Table 6.1. 2014 Protests: Timeline of events

2014	5 February	Workers protest over unpaid salaries and contributions in Tuzla.
	6 February	A larger demonstration occurs in reaction to forceful police attempts to quash the protests on the day before.
	7 February	Demonstrations in solidarity with Tuzla take place in several Bosnian cities, including the capital Sarajevo. Government buildings are damaged.
	12 February 2014	The first plenum meetings are held in Sarajevo and Tuzla, followed by other cities.
	13-20 May	Floods in Bosnia and Herzegovina.
	26-27 June	The Forum for Prosperity and Jobs is held in Sarajevo.
	24 July	Presentation of the Compact for Growth and Jobs.
	8-10 September	Conference 'Civil Society as a Factor for Change in Bosnia and Herzegovina', Vienna. Beginning of so-called Austrian Initiative.
2015	Spring	The Federation of BiH begins discussing the new Labour law (inspired by the Compact for Growth and Jobs), prompting trade union protests.
	May-June	Initiative of the EU Delegation "Šta znači Sporazum za rast i zapošljavanje? Razgovori sa građanima" (What does the Compact for Growth and Jobs mean? Conversations with the citizens). Meetings take place in 15 cities in BiH.
	July	The first implementation phase of the Austrian initiative begins.
2016	January-April	The new labour laws in the FBiH and RS come into effect.
	July	End of the funding for the first phase of the Austrian Initiative.

³³ See also Eyewitness account of a protestor: "We are neither vandals nor hooligans", BH Protest Files, 13 February 2014, available at <<https://bhprotestfiles.wordpress.com/2014/02/13/eyewitness-account-of-a-protestor-we-are-neither-vandals-nor-hooligans/>>, accessed 2 September 2016.

Politicians from both entities made controversial and unfounded statements regarding the fact that the protests were aimed at concealing Bosniak war crimes, destabilising the Serb entity, or that they were led by Bosniak nationalists – all while hinting at the possible risk of a new war (Dzidić 2014b). Unprofessional media coverage of the protests was also publicly condemned by the Association of BiH Journalists (*Udruženje BH Novinari*).³⁴ One of the most remarkable aspects of the protests was actually its decidedly anti-nationalistic character, attempting to unite around socioeconomic issues citizens that the political system had divided based on ethnicity. The international community condemned the attempt to instrumentally use the protests in order to further ethnic divisions in the country, and expressed support for the right to protest of Bosnian citizens.³⁵ Some statements, such as the remarks by the High Representative Valentin Inzko regarding the possible use of international troops to stop violence on the streets (which he argues were misrepresented), also sparked controversy and somewhat compromised the image of the international community in the eyes of demonstrators.³⁶

Small-scale protests and plenum meetings continued for a couple of months after the February protests. In mid-May 2014, Bosnia and Herzegovina was hit by catastrophic floods which affected approximately one third of the country, left 27 people dead, displaced almost 90,000 people and affected hundreds of thousands more.³⁷ It was the most catastrophic event in the country's recent history after the end of the war, and the efforts of the Bosnian civil society, including activists and citizens who had been taking part in the plenum meetings, were redirected towards

³⁴ See *Apelmedijima i novinarima u BiH*, 11 February 2014, available at <http://www.bhnovinari.ba/index.php?option=com_content&view=article&id=603%3Aapel-medijima-i-novinarima-u-bih&catid=62%3Aasopenja&Itemid=240&lang=bs>, accessed 15 August 2015.

³⁵ *Statement by the Ambassadors of the Steering Board of the Peace Implementation Council*, 11 February 2014, <<http://www.ohr.int/?p=31892&lang=en>>; accessed 27/04/2016.

³⁶ *Večer: Interview with HR Valentin Inzko*, Office of the High Representative, 12 February 2014, <<http://www.ohr.int/?p=31864&lang=en>>; accessed 27/04/2016.

³⁷ UNDP, *One Year After Catastrophic Floods, Bosnia and Herzegovina Takes Stock and Looks Ahead*, <<http://www.undp.org/content/undp/en/home/presscenter/pressreleases/2015/05/12/one-year-after-catastrophic-floods-bosnia-and-herzegovina-takes-stock-and-looks-ahead.html>>, accessed 17 August 2016; Elvira M. Jukić, *Hundreds Still Homeless After Bosnia Floods*, <<http://www.balkaninsight.com/en/article/hundreds-still-homeless-after-bosnia-floods>>, accessed 17 August 2016.

providing aid to those most in need. The international community also set up emergency programmes that included funds and loans targeted for disaster relief and prevention. Ultimately, the floods represented the second element pushing the international community, and especially the EU, to take a more active approach towards socioeconomic issues in BiH while setting aside (at least temporarily) some of the most controversial issues hindering the process of EU integration.³⁸

6.2.2 Socioeconomic justice claims: a transformative approach

For the first time in the post-war period, the February 2014 protests brought socioeconomic justice at the forefront of public debate. In the words of one activist, ‘the combinations of notions of “social” and “justice” had been virtually unknown among local intellectuals, activists and the social scene’ (Hakalović 2014, 7). The protesters identify social justice as their ultimate goal. A declaration published by Sarajevo demonstrators on 9 February reads that, following the release of fellow protesters by the police, ‘we can then ask for the start of conversations and actions at all levels of government in order to establish a more socially just order for all social strata; and for all those whose human dignity and material basic needs have been endangered or destroyed by the transitional theft, corruption, nepotism, privatization of public resources and an economic model that favors the rich, and financial arrangements that have destroyed any hope for a society based on social justice and welfare’.³⁹ Social justice, as it was declined during the protests, effectively turned the experiences of socioeconomic injustice and justice conceptions expressed by former workers in cities like Prijedor and Zenica into a public and political issue, for the first time since the end of the war. The claims raised by the protesters and discussed in the plenum meetings elaborate on the themes of socioeconomic redistribution and

³⁸ This was the spirit behind the establishment of the Forum for Prosperity and Jobs (see Section 3.2), and the British-German Initiative following from that. See Elvira M. Jukić, *Balkan Insight*, UK, Germany Launch Joint Initiative on Bosnia, <<http://www.balkaninsight.com/en/article/uk-germany-propose-bosnia-s-renewed-eu-perspective>>, accessed 17 August 2016.

³⁹ Declaration of Sarajevo Protestors, 9 February 2014, BH Protest files, available at <<https://bhprotestfiles.wordpress.com/2014/02/09/declaration-of-sarajevo-protestors-1/>>, accessed 2 September 2016.

political participation that emerged in Chapters 4 and 5, and are mostly transformative, and forward-looking, in nature.

Table 6.2 Protest slogans 2014-2015⁴⁰

Economic issues/anti-nationalism	Political/institutional issues	Privileges and corruption
<i>Gladni smo na tri jezika</i> (We are hungry in three languages)	<i>Je li ovo pravna država?</i> (Is this a state of law?)	<i>Pljačkali ste 20 godina i dosta je</i> (You stole for 20 years and that's enough)
<i>Jedna ljubav za radničku BiH</i> (One love for a working/workers' BiH)	<i>Građani koji poginju glavu pred ovim banditima nisu zaslužili da imaju državu</i> (Citizens who bow their heads in front of these bandits do not deserve to have a state)	<i>Korupcija je habitus vlasti BiH</i> (Corruption is a habit of the BiH government)
Nacionalisti u službi krupnog kapitala (Nationalists at the service of big business)	<i>Ovo je tvoja zemlja! Uzmi je nazad</i> (This is your country! Take it back)	<i>Dosta: - lopovluka; - kriminala; - korupcije; - nepotizma</i> (Enough with the theft, criminals, corruption and nepotism)
<i>Smrt nacionalizmu</i> (Death to nationalism)	<i>Kad nepravda postane zakon otpor postaje dužnost</i> (When injustice becomes law, resistance becomes a duty)	<i>Posao u telekomu 15.000 BAM, elektru 10.000</i> (A job in telecom is 15.000 KM, in the electric company 10.000 KM)
<i>BiH nije srpska, ni hrvatska, ni muslimanka</i> (BiH is not Serb, nor Croat, nor Muslim)	<i>Stop represiji</i> (Stop repression)	<i>Pare narodu a ne strankama!</i> (Money to the people and not to political parties!)
<i>Smrt kapitalizmu, sloboda narodu</i> (Death to capitalism, freedom to the people) ⁴¹	<i>Tražimo promjene</i> (We are looking for change)	
<i>Sloboda je moja nacija</i> (Freedom is my nation)		

Experiences of socioeconomic injustice in Prijedor and Zenica revolve around the loss of work. Dismissal based on different grounds was often the first experience

⁴⁰ Sources: Author's pictures; Zenica Plenum Bilten, Broj 1 (Bulletin of the Plenum Zenica, no. 1, on file with the author); Kurtović 2015.

⁴¹ This is a play on words with the World War Two partisan slogan *Smrt fašizmu, sloboda narodu* (Death to fascism, freedom to the people).

of injustice during the war, and was followed by the impossibility of regaining employment in its aftermath. Activists concur that work, the rights connected to work and the political issues linked to this prompted the protests in the first place.⁴² The first declaration of protesters in Tuzla, dated 7 February 2014, asked for the resolution of all questions related to the privatization of several local firms, trials for economic crimes, the revision of all privatisation agreements, and for returning factories to the workers.⁴³ A similar call for the revision of privatisation agreements was made by the Plenum in Sarajevo on 14 February,⁴⁴ while demonstrators from Mostar added further demands on the right to work and resolving the status of workers from destroyed companies.⁴⁵ While in several cases workers asked to take back control of the factories, activists point out that there were also many that wished for successful privatisation that would guarantee them work and a stable income.⁴⁶ Similar demands related to failed privatisations and to the status of workers were presented in Zenica, Prijedor, Zavidovići, and Bihać.⁴⁷ The importance of socioeconomic issues, and most importantly work, is also visible in the slogans and chants seen and heard during the demonstrations. These again build on experiences

⁴² Interview SA/15/3, Activist, Sarajevo 5 May 2015; Interview ZE/15/1, Activist from Zenica, 7 May 2015; Interview SA/15/24, NGO activist (FOD), 4 November 2015; Interview SA/15/7, Activist from Sarajevo (Jer me se tiče), 21 May 2015.

⁴³ Tuzla's Declaration of Citizens and Workers, 7 February 2014, BH Protest Files, <<https://bhprotestfiles.wordpress.com/2014/02/07/declaration-of-citizens-and-workers-in-tuzla-1/>>, accessed 1 September 2016.

⁴⁴ Asim Mujkić on Sarajevo's Plenum: "I attended a celebration of democracy", 14 February 2014, BH Protest Files, <<https://bhprotestfiles.wordpress.com/2014/02/14/asim-mujkic-on-sarajevos-plenum-i-attended-a-celebration-of-democracy/>>; Citizens' Demands to the Sarajevo Cantonal Assembly Adopted, 14 February 2014, BH Protest Files, <<https://bhprotestfiles.wordpress.com/2014/02/14/citizens-demands-to-the-sarajevo-cantonal-assembly-adopted/>>. Both accessed 2 September 2016.

⁴⁵ Mostar citizens' demands, 11 February 2014, BH Protest Files, <<https://bhprotestfiles.wordpress.com/2014/02/10/mostar-citizens-demands-mostar-1/>>; Demands of the Citizens' Plenum of Mostar, 13 February 2014, BH Protest Files, <<https://bhprotestfiles.wordpress.com/2014/02/13/demands-of-the-citizens-plenum-of-mostar/>>. Both accessed 1 September 2016.

⁴⁶ Interview SA/15/3.

⁴⁷ Zenica Protestors Deliver their Demands, 10 February, BH Protest Files, <<https://bhprotestfiles.wordpress.com/2014/02/10/zenica-protestors-deliver-their-demands-to-cantonal-government-zenica-1/>>; Prijedor Citizens' Demands, 10 February 2014; Demands of the Citizens of Zavidovići, 11 February 2014, <<https://bhprotestfiles.wordpress.com/2014/03/05/demands-of-the-citizens-of-zavidovici-february-11-2014/>>; Bihać Citizens' Demands, 10 February 2014, <<https://bhprotestfiles.wordpress.com/2014/02/10/bihac-citizens-demands-bihac-1/>>. All accessed 2 September 2016.

of marginalisation, exclusion and exploitation exemplified by the stories of interviewees in Prijedor and Zenica. Even when the wave of protests had ended, and when the plenum meetings in several cities had stopped, socioeconomic issues remained pivotal for social mobilisation, especially in the trade unions' mobilisation against the new Labour Law, which was being discussed in the Federation in the spring and summer of 2015. One of the groups established during the protests, the *Sindikati Solidarnosti* in Tuzla, organised a demonstration on May Day 2015 against the proposed Labour Law that threatened the status of employees on permanent contracts and reduced guarantees for newly hired personnel on short term contracts. The protests' focus on privatisations and on regaining control of the economic process shows the transformative nature of the demonstrators' demands: they are asking to subject to justice logics something that was – throughout the transition – subject only to economic and market logics.

If economic issues started the protests, the transformative character of demands made it necessary for activists to address the connections between the socioeconomic and political realm. An activist from Zenica says: 'we started off with the economic issues. So people don't have jobs, they can't find a job because they're being forced to go into a political party or they're being forced to say that they're a Bosniak, a Croat or a Serb. And people don't want that and are trying to fight against that, but at the same time they want to live a decent life. Now we have kind of looked for where is the real problem. It's all gone way back to the system. In Plenum we have a saying that the foundation, the constitution of our country is rotten'.⁴⁸ Another activist from Sarajevo argued that even if the economic situation got better and unemployment decreased, the institutional setting of the country would prevent meaningful change.⁴⁹ Just like experiences of injustice in Prijedor and Zenica went beyond socioeconomic issues, and touched upon political matters that had to do with participation in the political life of the country, the protests were also directed against an institutional system that limits citizens' agency and furthers privilege and corruption.

⁴⁸ Interview ZE/15/1.

⁴⁹ Interview SA/15/7.

By calling for resignations of governments at all levels (cantonal, entity and state) and for non-partisan governments, the activists were pointing at the fundamental weaknesses of the Dayton Constitution and the party system that favoured nationalist elites. Among other things, the protests were a civic display of opposition to the ethnonationalist character of post-war Bosnia. In the words of a Sarajevo activist: 'the plena demands had nothing to do with ethnicity. It had all to do with the position of an ordinary citizen in this system'.⁵⁰ While the protests were seen as important because they overcame the ethnic barrier separating citizens in Bosnia, some protesters also felt that the issue of interethnic relations needed to be addressed in order for socioeconomic justice to be achieved.⁵¹ A NGO activist who took part in the protest in personal capacity adds: 'in this case they are really showing that there could be some people, a united front of the people, and I think that the best message from the protests was that, you know, be afraid, we are not going to stand this anymore'.⁵² While ethno-nationalist elites (and to a certain extent the international community) see Dayton as a guarantee of stability and of their power, the 2014 protests show that there is no social consensus around the constitutional set up of the country. Rather, citizens seem to believe that the achievement of social justice is hampered by the constraints to political participation imposed by the Dayton framework (in the words of an interviewee 'a straightjacket')⁵³.

Compounding this critique towards the system was the perception of the political elite as enjoying great privileges at a time when the country's economy, as well as the majority of its population, were struggling. Plenum demands in most cities, thus, also included the abolition of such privileges and especially of the 'white bread' (*bijeli hljeb*), which refers to the additional salaries and compensations paid to politicians, including life-long ones.⁵⁴ In many cases, activists demanded the

⁵⁰ Interview SA/15/7.

⁵¹ Interview SA/15/26, NGO activist, Centar za Nenasilnu Akciju, Sarajevo, 5 November 2016.

⁵² Interview SA/15/19, NGO activist (YHIR), Sarajevo, 16 September 2015.

⁵³ Interview SA/15/26.

⁵⁴ Proclamation of the Plenum of Citizens of the Tuzla Canton, 13 February 2014, BH Protest Files, <<https://bhprotestfiles.wordpress.com/2014/02/13/announcement-of-the-plenum-of-citizens-of-the-tuzla-canton/>>; Citizens' Demands to the Sarajevo Cantonal Assembly Adopted, 14 February 2014; See also Kurtović 2015; author's observations at 2015 May Day protest in Tuzla. The Sindikat Solidarnosti symbolically left loafs of white bread (and a roasted lamb) in front of the new seat of the cantonal government.

reduction of salaries for government functionaries, the end to compensations for additional posts held in commissions, or matching the salaries of politicians and high-level public officials to those of the productive industrial sector.⁵⁵ They also demanded the end of corruption practices, and prosecution for corrupted politicians. Drawing on grievances already expressed by interviewees in Chapter 4 and 5, activists contrast the privileges of the elites with the lack of public services and welfare, as well as with the decline of the industry in the country. While being a nation-wide problem, political privileges and corruption are also very much linked to the city. Many of the demands emerging from the plenum meetings focused on cases of mismanagement, corruption or failed privatisation in their specific town or region.⁵⁶ In the case of Zenica, for instance, protesters' demands and discussion in the local plenum revolved around the state of the steel mill and the pollution it causes. Generalising narratives of social justice based on redistribution need to take into account the specificity of the local context in order to remain meaningful and grounded in the communities' experiences. The importance of the protests, then, lies also in the realisation that a country-wide civic movement concerned with redistribution needs to be based on a network of local activists that are in touch with the problems of their own communities,⁵⁷ and rely more on this rather than on the international support and formal structures that characterise NGO work.

The analysis of justice claims emerging from plenum demands and protests clearly shows a strong connection to the experiences of injustice and conceptions of justice expressed by interviewees in Prijedor and Zenica. They are concerned with redistribution and socioeconomic issues in general, and adopt an actively anti-

⁵⁵ See for instance: Citizens' Demands to the Sarajevo Cantonal Assembly Adopted, 14 February 2014; Mostar Citizens' Demands, 11 February 2014; Bihac Citizens' Demands, 10 February, Zenica Protesters' Demands, 10 February.

⁵⁶ On privatisations, see this text re-published in the BH Protest Files blog and circulating at the time of the protests: 'The Root Cause of the Rebellion: Top Ten Privatization Plunders in Bosnia and Herzegovina', 10 March 2014.

<<https://bhprotestfiles.wordpress.com/2014/03/10/the-root-cause-of-the-rebellion-top-ten-privatisation-plunders-in-bh/>>, accessed 1 September 2016.

⁵⁷ See also interview ZE/15/13, Activist from Zenica, 30 July 2015, who says: 'Yes, so this networking is important precisely because of that. No matter how much we talk to each other, until you go to the city you don't know what kind of problems they are facing and every town is different. Even one town from the other is different. But then Cantons, Cantons are even more different. And Travnik and Zenica are so close, you can practically walk from one city to the next, but because it's a different Canton you've got a whole new set of issues. And again we have to pull together.'

nationalist approach. Just like workers in the two cities, protesters also connected socioeconomic justice with political justice. The removal of barriers for citizens to take part in managing the collective good and greater political accountability figured prominently in the demands. Two significant points can be drawn from this discussion. First, in order to make sense of the protests, it is necessary to bear in mind that socioeconomic issues in BiH represented the basis for legitimate and important justice claims. Second, these claims always pertain to multiple dimensions of justice/injustice, reflecting both the variety of lived experiences of injustice, as well as the multi-faceted nature of the concept of justice.

6.2.3 New forms of political participation: the 'plenum'

At the same time as bringing to light socioeconomic justice as a relevant political issue, the 2014 protests allowed for experimentation with new forms of social participation. In particular, these differed from international expectations that participation is always positive or constructive (Mac Ginty 2012), while the commitment to civil society-building is linked to the support of 'certain kinds of market arrangements or individual rights which suggest that what is really being advocated or defended is a particular associational life' (Williams and Young 2012, 9). Before engaging directly with the international involvement in the protests, here we focus on the characteristics of the protest movement and its detachment from formal structures and the organised civil sector.

After the transition had disempowered them economically and politically, the protests represented 'an escalation of the social discontent of workers, who established themselves as the political subject of the post-socialist transition, and, also, at the very least, as ordinary people who expected social justice (Husarić 2014, 67). The first element characterising the protests was thus the presence of common citizens, exemplified by the groups of workers and unemployed who got the mobilisation started in Tuzla. Similarly to the *bebolucija*, the protest was not organised by any specific group or organisation, and was characterised by lack of leadership, horizontality, assemblies, distrust of politics and political institutions (Mujkić 2015, 632), among other things. In contrast with the post-war ethnicisation of politics and professionalization of civil society initiatives, the protest gatherings were open

spaces, composed of common citizens. Activists explain that in several cases it took time for citizens to overcome their fears and take part in the protests and assemblies. People were apparently afraid of criticising the constitution, or to go against politicians for fear of repercussions. According to an activist from Zenica, pensioners formed an important part of the movement 'one because they are least afraid of what they could lose, and two because they remember the time when they were active'.⁵⁸ Intellectuals stressed they would participate in, but not lead, the articulation of demands (Nedimović 2014; Sicurella 2016). While this drew criticism on the part of some observers for curbing the potential of the protest movement (Weber and Bassuener 2014), it can be argued that the horizontality and absence of formal structures of the movement was integral to its approach based on direct democracy exercised through the 'plenum'.

'Plenum' meetings are defined as 'public gatherings, open to any citizen, through which collective decisions and demands can be made and action taken, beyond guarantees of leadership. They are open, direct, and transparent democracy in practice' (Arsenijević 2014, 47-48). Only members of political parties were, in most cases, banned from participating in plenum meetings.⁵⁹ Just like the protests, plenums (or plena, plural of plenum) do not have leaders, nor spokespersons. Each member has one vote, and assemblies are conducted by appointed moderators who do not have the right to represent the plenum outside of the assembly.⁶⁰ Usually, the first meeting was called and organised by a group of activists that would dissolve itself at the first general meeting.⁶¹ According to Arsenijević (2014, 48), this setting 'is crucial to fight corrupt privatization and the fear it instils when it comes to making decisions about the commons. The plenum model of work creates a different public language by enabling people, who, as a result of war, have withdrawn from public life and the so-called "transition to democracy," to have a say about the matters that

⁵⁸ Interview ZE/15/13.

⁵⁹ See for instance Announcement: First Meeting of the Brcko District Citizens' Plenum, 11 February 2014; Sarajevans Invited to First Meeting of Citizens' Plenum, 11 February 2014, BH Protest Files <<https://bhprotestfiles.wordpress.com/2014/02/11/sarajevans-invited/>>. For an exception, see Announcement of the Citizens' Plenum in Tuzla, 12 February 2014, BH Protest Files, <<https://bhprotestfiles.wordpress.com/2014/02/12/announcement-of-the-citizens-plenum-in-tuzla/>>, accessed 2 September 2016.

⁶⁰ Announcement of the citizens' Plenum in Tuzla, 12 February 2014.

⁶¹ 2nd Declaration of Sarajevo Citizens' Plenum, 10 February 2014.

concern them in everyday life'. Acting through the plenum, protesters in different parts of Bosnia sought to radically transform the conditions of political participation in the country, opening the way for deeper democratisation than what was sought through the peace- and state-building process. The difficulty of acting in a politically effective way through the plenum became evident as time passed, and some activists became critical of this approach: '... plena people could have gathered international community representatives but did not. They did not because they got stuck in the process. The same thing in what we call the Occupy Wall Street syndrome: they are so stuck in the process to ensure that nobody, no person involved in the plena is actually a representative of the plena, so nobody has the authority to represent the plena when discussing the issues with any other interlocutor, and that is bad.'⁶² Despite the best efforts of the activists, the open nature of the plenum also made altercations between participants possible: an activist has recalled been attacked for talking about feminism, by someone claiming this had nothing to do with the protests.⁶³

Importantly, grassroots engagement during the 2014 made visible the separation between the formal NGO sector and the spirit of the protests. While some activists were themselves members of NGOs, many soon came 'to the conclusion that the organisations of the civil society cannot at that time produce a shift, so much unrest among people, to encourage start expressing, *en masse*, their social dissatisfaction'.⁶⁴ Informal groups and horizontal structures were considered best suited to include common people and bring them to the streets. The perception of the civil sector among the population is, in fact, not very good, as many people have the impression that 'organisations work on the basis of the policies of the donors without regard for how useful they are, how effective they are at the local level'.⁶⁵ Another activist from Sarajevo went further in arguing that 'Sarajevo is saturated with NGO activities, but those activities only feed the NGOs themselves.'⁶⁶ Moreover, NGOs focus their activities on specific topics, while 'the Plenum does not have a specific aim. It does have an aim, but it is so broad, it is not like an NGO which deals with a

⁶² Interview SA/15/7.

⁶³ Interview SA/15/17, Fondacija Cure, Sarajevo, 15 September 2015.

⁶⁴ Interview PR/15/18.

⁶⁵ Interview PR/15/18.

⁶⁶ Interview SA/15/7.

specific problem. (...) we want social justice. No country in the world has social justice. It's an aim that is out there. And there are so many elements to social justice that basically just it's a space that...let's just try and get it as much as possible'.⁶⁷ NGO activities are also influenced by the policies of their international donors who 'do not touch anything that is politically radioactive'.⁶⁸ International officials are aware of this perception, and partly share the view that NGOs have become too detached from the Bosnian society.⁶⁹ This constituted one of the reasons why they tried to reach out to some of the activists (with controversial results, see Section 6.3). In the second phase of activism without mass protests, which followed the February events, surviving plenums and other informal groups would still refuse to receive funding subject to conditionality, and opt for alternative arrangements instead. Overall, the forms of social mobilisation used by the protests represented a rupture with formal organisations, and with international expectations about post-war civil society activism.

6.3 Between dissolution and institutionalisation? International engagement with the protest movement

Section 6.3 situates the development of socioeconomic justice claims within the framework of the international intervention. That the February events were of interest to the international community became evident very soon, as shown by the statements by the OHR and other international officials mentioned earlier. Beyond that, some international actors, and the EU in particular, took the protests as the starting point for a renewed process of socioeconomic reform in the country. The international community understood that socioeconomic problems linked to privatisations and asset-stripping (as well as general dissatisfaction) were the basis for the protests,⁷⁰ and that rule of law reforms prior to privatisation might have been instrumental for avoiding failed privatisations.⁷¹ However, the engagement of international actors with the protest movement shows that they largely failed to

⁶⁷Interview ZE/15/13.

⁶⁸ Interview SA/15/7.

⁶⁹ Interview SA/15/1, International official, 30 April 2015.

⁷⁰ SA/15/5, International official, 14 May 2015.

⁷¹ SA/15/1, International official, 30 April 2015.

understand these socioeconomic demands as justice claims, and that they could not successfully engage with the broad-based civic movement that emerged during the protests. Their reaction was, rather, characterised by the promotion of a socioeconomic reform agenda aimed at completing Bosnia's transition towards a market economy, and by attempts to inscribe the protest movement within recognisable forms of agency, which ultimately contributed to its partial dissolution. While several international organisations participated in efforts to establish a dialogue with the protesters and the citizens, this section focuses on those led by the EU, as they were the most organised and sustained through time.⁷² It then presents the alternative approach taken by the Austrian Initiative.

6.3.1 The EU-led Compact for Growth and Jobs

The EU engagement with the protest movement is indicative of the broader tendency, displayed by international actors, to support discourses on economic reforms that allegedly addressed the protestors' concerns, but were actually in line with the international economic agenda for BiH. Socioeconomic justice claims were thus reformulated as problems to be tackled through internationally-sponsored economic reforms, rather than as justice issues, thus reproducing the 'invisibility' of socioeconomic problems in transitional justice efforts (Miller 2008). EU-led efforts in this direction began in the aftermath of the protests and the floods that devastated the country in May 2014, when the European Union started perceiving socioeconomic problems as closer to the concerns of ordinary Bosnian citizens, compared to the institutional issues upon which Brussels had previously focused its efforts (EU 2014, 2). It was within this spirit that the EU Delegation in BiH, in close cooperation with other international organisations and financial institutions, organised a two-day event in Sarajevo called 'Forum for Prosperity and Jobs', with the aim of developing

⁷² The OSCE for instance also attempted to set up meetings between plenum activists and government representatives. One official reports that after a while activists seemed not to be really interested in this type of dialogue, and after a few months the plenum groups dissolved themselves (Interview SA/15/9, International official, 27th May). The latter detail is however not entirely correct, as some plenum groups active in the protests are still currently operating (although not in Sarajevo).

a set of key priorities for socioeconomic reform in BiH.⁷³ The process of organising the Forum and drafting the Compact shows that socioeconomic justice issues were marginalised in favour of economic reforms aimed at completing Bosnia's transition towards a market economy, while also channelling political participation towards structured events and discussions around set agendas.

The Compact for Growth and Jobs was presented in July 2014. Championed by the EU Delegation, which wanted to maintain a lead role in its promotion,⁷⁴ the Compact was actually elaborated in conjunction with – and with the financial support of – the International Financial Institutions (IFIs) present in Bosnia.⁷⁵ There was, according to international officials, a convergence of interests between the EU and the IFIs, especially regarding achieving the macroeconomic stability necessary for Bosnia's integration in the single market.⁷⁶ The Compact highlighted six areas where measures should be taken: *taxes on work*, to be lowered; *barriers to jobs*, to be addressed through the flexibilisation of the labour market; *business climate*; *enterprise*, focusing on the completion of the privatisation process; *corruption*; and *social protection*, to be reconfigured towards a needs-based system rather than the current status-based arrangement.⁷⁷ While presented as a response to the socioeconomic grievances expressed by the protest movement, as well as to the floods that devastated the country in May 2014, the measures proposed in the Compact for Growth actually built on previous international commitments and agendas,⁷⁸ with the broader aim to further Bosnia's transition towards free market capitalism. The Compact represented, indeed, a shift in the international – and especially European – discourse towards Bosnia, from a phase of 'political' to one of 'economic restructuring' (Majstorović and Vučković 2016), and formed the basis for the development of the current Reform Agenda.⁷⁹

⁷³ EU Delegation to BiH, *Forum for Prosperity and Jobs starts in Sarajevo*, 26 May 2014, <<http://europa.ba/?p=18008>>, accessed 25/05/2015.,

⁷⁴ Interview SA/15/8, international official, 21 May 2015; Interview SA/15/9, international official, 27 May 2015.

⁷⁵ Interview SA/15/2, international official, 5 May 2015; EU Delegation to Bosnia and Herzegovina, Compact for Growth and Jobs.

⁷⁶ Interview SA/15/5.

⁷⁷ EU Delegation to Bosnia and Herzegovina, Compact for Growth and Jobs.

⁷⁸ Interviews SA/15/1 and SA/15/2.

⁷⁹ See the website of the Reform Agenda 2015-2018, <<http://reformskaagenda.ba/>>, last accessed 24 February 2017.

The protesters' requests to determine accountability for the mismanagement of public resources, including irregular privatisations, were side-lined, and justice issues were separated from economic ones. The EU only addressed these, in its 2014 Progress Report for Bosnia, through 'the inclusion of additional rule of law matters, in particular the fight against corruption' within the Structured Dialogue on Justice (EU 2014, 1). Moreover, the issue of employment for young people, which had represented one of the key mobilisation factors in the protests, was tied in the international discourse to the necessity of cutting the privileges of public sector 'insiders' with secure jobs, and of the 'cadre of ghost workers who are just clinging on to the past', for which 'no contributions are made' but who 'still hope to receive social benefits',⁸⁰ such as former factory workers whose concerns were at the heart of the protests. Economic issues were, in other words, treated as problems that could only be addressed by dispensing completely with socialist legacies, in line with international attitudes that had marginalised the socialist experience in shaping Bosnia's transition. The February protests, thus, while putting socioeconomic issues at the centre of public debate, did not manage to change the international economic agenda. Rather, they offered a chance to push for its realisation.

From the perspective of the activists, the Compact did not represent a solution to the deep-rooted socioeconomic injustice they were protesting against, and could jeopardise the rights and working conditions of Bosnian people to the advantage of big international companies.⁸¹ The first step of the new reform agenda was, in fact, passing Labour Laws that introduce flexibilisation in the labour market and attempt to curb the influence of trade unions in the Federation and Republika Srpska.⁸² It would have been easy to anticipate that the process of drafting and approving the Labour Laws was certainly going to be very controversial, and could potentially jeopardise the reform agenda as a whole. While opinions on the Labour Law among the activists vary, with some accepting that unemployed people might welcome

⁸⁰ EU Delegation to Bosnia and Herzegovina, Compact for Growth and Jobs.

⁸¹ Interview SA/15/3; interview ZE/15/4, Activist from Zenica, 12 June 2015.

⁸² Labour laws fall within entity (and not state) competencies in BiH. See the following pages <<http://www.fbihvlada.gov.ba/bosanski/zakoni/2016/zakoni/5h.html>>, and <<http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/102220/123487/F-1030013146/BIH-2015-L-102220.pdf>>, both accessed 1 September 2016.

flexibilisation if that entails greater chances of accessing the labour market,⁸³ another more important criticism of the Law and of the Compact is that the proposals are not sufficiently transformative. Even if the reforms managed to restart growth and reduce unemployment, this would leave the system intact, and would not make politicians more accountable to the citizens.⁸⁴ It would thus not change the fact that one's access to the labour market (as well as other public services) often depends on connections (*veze*) to politically important figures (Brković 2015). In the words of an activist from Zenica: 'politicians own the labour market, that's perhaps their biggest source of power'.⁸⁵ Another activist, from Sarajevo, sums up the limitations of the Compact by saying that 'it's basically giving an aspirin to a cancer patient'.⁸⁶ The lack of transformative proposals in the Compact and related reform agenda is thus even more important in order to understand how calls for socioeconomic justice advanced by the protesters were displaced and effectively muted by the international intervention.

The EU-led intervention also had the effect of legitimising certain forms of participation over others, and of establishing specific fora within which debates on socioeconomic problems could be conducted around set agendas. The Forum for Prosperity and Jobs represents one such instance. International officials were aware that the grassroots character of the protest movement conferred it a greater degree of legitimacy in the eyes of Bosnian citizens compared to the established civil sector. However, they were perceived as lacking the capabilities and skills that NGOs had developed through years of international training and project work.⁸⁷ One of the distinctive characteristics of the movement – open participation to all citizens and lack of formal structures – was seen as somewhat confusing and problematic by international organisations and some external observers (Weber and Bassuener 2014, Weber 2015). Due to this, and to the explicit refusal of protesters to appoint leaders, international organisations turned towards those they could 'recognise' and speak to,

⁸³ Interview ZE/15/1.

⁸⁴ Interview SA/15/7.

⁸⁵ Interview ZE/15/1.

⁸⁶ Interview SA/15/7.

⁸⁷ Interview SA/15/1.

such as individuals with good knowledge of English.⁸⁸ For instance, while the meetings of the Forum for Prosperity and Jobs, where the Compact was drafted, were supposed to be a platform for all the citizens of this country',⁸⁹ interviewees raised doubts as to whether activists from the Plenum were actually present, and whether those who were there represented the spirit of the protests or rather 'a part of the civil sector that was chosen' by the international community.⁹⁰ The themes to be addressed at the Forum were determined in advance by the EU Delegation, which organised the work in five separate workshops.⁹¹ After the publication of the Compact, the EU took a similar approach when organising the series of 'Conversations with the citizens' (*Razgovori s građanima*) in the spring and summer of 2015, intended to 'promote public debate on socio-economic reforms' and discuss 'with local people (...) a common agenda of economic opportunity for all'.⁹² Again, one activist argued that the actual intent behind the Conversations was to explain the Compact to the citizens, and convincing them of its usefulness, rather than engaging in a real discussion about the reforms to be undertaken in order to stimulate growth and employment.⁹³ If one response to the critique of liberal peacebuilding as a top-down endeavour had been the promotion of 'local ownership' (Donais 2009), the international engagement on the Compact for Growth bears a greater resemblance to techniques of government aimed at establishing discursive boundaries and meanings, influencing individual preferences and behaviour (Lazzarato 2009). The agency of protesters with respect to discussing socioeconomic justice issues with the international community was, thus, effectively limited by the scope of the international agenda, and the lack of

⁸⁸ Interview SA/14/1, Activist from Sarajevo, 17 June 2014; interview SA/15/10, Activist from Sarajevo, 1 June 2016.

⁸⁹ EU Delegation to BiH, *Opening remarks by the Ambassador Sorensen at the Forum for Prosperity and Jobs in Bosnia and Herzegovina* <http://europa.ba/?post_type=post&p=18002>, accessed 25 May 2015.

⁹⁰ Interview SA/15/3; see also the interview with the Dutch Ambassador to BiH Jurriaan Kraak conducted by Nidžara Ahmetašević, <<http://bosniaherzegovina.nlembassy.org/news/2014/august/interview-with-ambassador-kraak.html>>, accessed 29 August 2015.

⁹¹ EU Delegation to BiH, *Conclusions of the Forum for Prosperity and Jobs*, 29 May 2014, available at <<http://europa.ba/?p=17978>>, accessed 14 August 2016. See also interview Svjetlana

⁹² EU Delegation to BiH, *New initiative of the EUSR Office in BiH helps stakeholders explore practical reforms to create jobs*, <<http://europa.ba/?p=16883>>, accessed 25 May 2015

⁹³ Author's observation at the Conversation with the Citizens in Istočno Sarajevo, 28 May 2015; Interview SA/15/10.

recognition of the protesters and workers as the legitimate bearers of socioeconomic justice claims.

6.3.2 *An alternative model for civil society building? The Austrian Initiative*

Compared to the EU-led efforts surrounding the Compact for Growth, the so-called Austrian Initiative might represent a different model for international engagement with activist groups. The origins of this project can be traced back to 2014, when the staff of the Ludwig Boltzmann Institute of Human Rights in Vienna, a research institute, entered in talks with Austrian diplomats and EU representatives around the need to support civic activism in Bosnia and keep the momentum of the protests and Plenum going. In September 2014, the Institute, together with the Erste Foundation and the EU Delegation in Bosnia and Herzegovina, organised a conference in Vienna with the aim of providing a 'platform for exchange to the citizens in Bosnia and Herzegovina in order to formulate demands for a better future based on democracy, the rule of law and human rights' (Ludwig Boltzmann Institute 2014, 1). Participants were selected through an application process, and included many activists who had taken part in protests and plenum meetings, coming from all over Bosnia.

The conference represented a controversial start for the initiative. Some activists were very critical of international interference with the protest movement,⁹⁴ while others criticised the selection process for bringing to Vienna people who were not committed to the success of the event.⁹⁵ As already pointed out, distrust towards international organisations was common among activists and citizens, as most donors are perceived as interested in furthering their own agendas. The discussion at the conference, moreover, was conducted in working groups around themes that seem to leave out some of the most radical socioeconomic justice demands raised during the protests.⁹⁶ The conference conclusions do mention the difficult situation and socioeconomic rights, but display a shift, or an attempt to mediate between the protesters' demands and the international community's discourse. For instance, in calling for the 'respect of human rights, workers' rights, socio-economic rights', the

⁹⁴ Interview SA/15/10.

⁹⁵ Interviews SA/15/7 and ZE/15/1.

⁹⁶ Interview SA/15/10.

final recommendations go beyond the liberal focus on civil and political rights, and this is an indication of an increased acceptance of socioeconomic issues within the public debate. On the other hand, the conclusions link justice issues to the ‘reform of the judiciary and law enforcement agencies’ and the fights against organised crime’ (Ludwig Boltzmann Institute 2014, 2), leaving out demands related to the failed privatisation processes and economic crimes that had sparked the protests in the first place. Following the event in Vienna, the EU Delegation left the initiative, and decided to focus on supporting the Compact for Growth and Jobs.

Table 6.3. Austrian Initiative participants

Activist groups	City and entity
Banja lučki Socijalni Centar, BASOC (Banja Luka Social Centre)	Banja Luka, Republika Srpska
Mreža 5f7 (Network 5f7)	Bosnia-wide network
Neformalna Grupa Građana ‘Srebrenik je naš’ (Informal citizen group ‘Srebrenik is ours’)	Srebrenik, Federation of BiH
Neformalna Grupa Za Socijalnu Pravdu (Informal Group for Social Justice)	Prijedor, Republika Srpska
Plenum Zenica	Zenica, Federation of BiH
Plenum Bosanska Krupa	Bosanska Krupa, Federation of BiH
Pokret Građana Gračanice (Civic movement Gračanica)	Gračanica, Federation of BiH
Sindikatska Solidarnost (Workers’ union Solidarity)	Tuzla, Federation of BiH

The limitations of the Vienna conference notwithstanding, the Austrian Initiative managed to continue, and effectively shifted its approach to meet the demands of local activists. While some groups of activist in the Network 5f7 continued to oppose external funding, others recognised that while it was ‘hard to get away from thinking about the motives of the Austrians’, the initiative could be ‘a good chance to start creating (...) a different relation with donors’.⁹⁷ Eight groups continued to take part in the activities of the initiative ‘Supporting informal citizens’ groups and grass-roots initiatives in Bosnia and Herzegovina 2015’ (Ludwig Boltzmann Institute 2016; see Table 1). The new approach of the Austrian Initiative

⁹⁷ Interview PR/15/18.

differentiates itself from the one adopted by the EU, and from conventional donor policies, on the basis of three fundamental elements. It can be argued that the Initiative's openness towards informal groups, the abandoning of formal requirements and funding conditionality, and personal relationship of trust established between the organisers and Bosnian activists contributed to the survival of grassroots groups that had been very active during the February 2014 protests, and that do not conform to the model of NGO-based civil society promoted by the international intervention and donor policies.

Firstly, the Austrian Initiative remained opened to informal, non-registered groups of citizens emerged during the February protests. While international officials pointed at the gap in skills and professionalization between NGOs and activist groups, and argued that formal structures and leadership were necessary to avoid the failure of the movement,⁹⁸ the Austrian Initiative made the decision to focus their efforts on informal groups and target their funding towards them.⁹⁹ This flexible approach is praised by some of the activists,¹⁰⁰ who remark the difference between the project work of NGOs, linked to having a specific scope and focus, and civic activism broadly aimed at achieving social justice.¹⁰¹ This decision was therefore more suited to the protesters' own willingness to maintain the Plenum and protest groups as informal, and more connected to the local citizenship compared to professional organisations of the civil society.¹⁰²

Secondly, the Austrians demonstrated flexibility in distributing funding with the groups without a specific conditionality attached. According to one of the organisers of the Initiative, Nina Radović, groups could ask for financial assistance based on what they felt was most important for their communities, rather than apply

⁹⁸ Interview SA/15/1; Interview SA/15/24. See also Weber and Bassuener (2014, 5), characterising the protest movement as 'without political direction, leadership and guidance'.

⁹⁹ Interview VI/15/1, Nina Radović, Coordinator of the Austrian Initiative, 9 November 2015 (Skype); Interview PR/15/18; Interview ZE/15/13.

¹⁰⁰ Interview PR/15/18; Interview ZE/15/13; Interview PR/16/1, Activist from Prijedor, 24 April 2016; Interview ZE/16/1, Activist from Zenica, 30 April 2016.

¹⁰¹ Interview ZE/15/13.

¹⁰² However, some of these organisations later decided to register formally. Last autumn, the Plenum Zenica justified this decision by saying that they wanted to make the work of the Plenum more collegiate rather than dependent on a single person, and improve the administration of their finances.

through calls that impose conditions and restrictions on the use of funds, and require the achievement of measurable targets – all of which would be impossible for informal activist groups.¹⁰³ The only condition posed by the Initiative was that the activities had to promote the strengthening of civil society in BiH. According to an activist from Zenica, this approach is best suited to the needs of groups like the Plenum: ‘donors have made a mistake, the mistake of deciding what society needs. For me it is the other way around (...). The Austrians just said: we want to help you, tell us how...but the dialogue started off with us’.¹⁰⁴ The activist also mentions an instance where her willingness to apply for international funding was curbed by the stated requirement that they should have cooperated with the local authorities that their group intends to oppose.

The Austrian Initiative, on the other hand, represents a significant change from the conventional modes of operation of civil society funding in BiH, and one that poses fewer limitations to the way in which funds are used. Donor policies have represented a problem for local groups operating in sensitive contexts, where organisations have avoided funding potentially controversial initiatives.¹⁰⁵ Some of the groups part of the Austrian Initiative have indeed used the allocated funds in ways that further social activism and radical thinking on socioeconomic issues that would have hardly received consideration from other international donors. The Workers’ Union *Sindikatska Solidarnost*, for instance, in 2015 organised protests (such as the demonstration for Labour Day on May 1st) that were very critical of the new Labour Law, which is part of the reform agenda supported by the EU and IFIs.¹⁰⁶ The social centre in Banja Luka, *BASOC*, situated in a partially restored Bosnian house that used to host the Muslim charity *Merhamet*, has organised talks on solidarity with refugees, a ‘by-weekly [sic] feminist coffee’, and ‘a Marx reading group that evolved into a critical reading group with occasional movie screenings’, among other activities (Ludwig Boltzmann Institute 2016, 23-24). A non-conditional approach to funding allows groups to remain flexible and respond to events developing in their community, rather than having to stick to activities that were planned and approved

¹⁰³ Interview VI/15/1.

¹⁰⁴ Interview ZE/15/13.

¹⁰⁵ Interview PR/15/18.

¹⁰⁶ Author field observations, Tuzla, May 1st 2015; see also Kurtović 2015.

months in advance, and allows for a broader range of civic, social and cultural initiatives that aim at mobilising citizens socially and intellectually.

Lastly, the Austrian Initiative worked on the basis of informality and reciprocal trust rather than a formalised relationship. After securing funds from the Erste Foundation, the Ludwig Boltzmann Institute acted as an intermediary with the Bosnian groups that are not registered and thus cannot receive direct financial support.¹⁰⁷ The funds are then allocated to the activists through a person of reference that receives the amount and is responsible for managing accounts and expenses.¹⁰⁸ According to the organisers, the groups remain free to 'do whatever they want', as long as they keep the Austrians updated through written reports and photographs.¹⁰⁹ As pointed out by several interviewees, such trust was absent at the time of the Vienna Conference in September 2014.¹¹⁰ Whereas the presence of other international organizations at the Vienna meeting, such as the EU Delegation to BiH, might have contributed to the diffidence expressed by some activists,¹¹¹ follow-up meetings conducted in Bosnia with a reduced number of participants were more successful. The Ludwig Boltzmann Institute recognised that the disengagement of the EU Delegation was important for the establishment of a positive collaboration between them and the grassroots activist groups.¹¹² This element of informality and the freedom left to local groups is crucial in order to understand the difference between conventional donor policies and the Austrian Initiative. The stated intent of such an approach is to maximize local input while minimizing external control over the activities and choices of the groups. The report on the first implementation phase makes the following point: '*Initiative* refers to the fact that Austrian partners were among the first to be willing to provide support to informal civic movements. *Initiative* does in no way mean that activism was initiated by the conference or follow-up activities and that it did not exist before' (Ludwig Boltzmann Institute 2016, 3).

The analysis of the Austrian Initiative also reveals some of its potential limitations. Just like participants in the protests were divided over the potential role

¹⁰⁷ Interview VI/15/1.

¹⁰⁸ Interview ZE/15/13.

¹⁰⁹ Interview VI/15/1. See also Ludwig Boltzmann Institute 2016.

¹¹⁰ Interview SA/15/10; interview VI/15/1; interview ZE/15/13.

¹¹¹ Interview SA/15/10; interview VI/15/1.

¹¹² Interview VI/15/1.

of the international community, activists split on the issue of whether an externally-driven process could genuinely support the development of grassroots activism in Bosnia.¹¹³ While the Initiative supported the continuation of civic activism in some cities, groups in other cities, such as the Plenum in Sarajevo, were no longer active by 2015. The impact of the project beyond the cities and towns directly involved in it could therefore be questioned. However, interviewees do recognise that the first conference in Vienna, while displaying divisions among groups, allowed activists from different parts of the country to meet for the first time. The opportunity to forge networks, especially across entities, is one of the positive outcomes of the protest movement started in February 2014. Such networks have already played a role in giving national prominence to local causes and potentially represent a future basis of mobilisation.¹¹⁴

Another critical point might be related to the fact that the Austrian Initiative remains, at least for now, a small scale project. Most of the groups received small amounts that were used in order to rent an office, buy office supplies, or cover printing and travel expenses.¹¹⁵ One activist from Sarajevo who was not involved in the project expressed disillusionment at the Initiative because of the very basic character of the funded activities.¹¹⁶ The organizers from Vienna and some of the activists involved point out the importance for groups to have a space to meet, something that is often taken for granted in Sarajevo where more options are available. The Plenum Zenica, for instance, until September 2015 held its meetings in the offices of the former mining company, in the same building that hosts the cantonal government. They could access a meeting room without printers and office supplies, only after 5pm, and had to sign in with the security guard at the entrance.¹¹⁷ Renting an office space in the centre of the city, which is equipped, accessible and open to the

¹¹³ Interviews SA/15/7 and SA/15/10.

¹¹⁴ Interview ZE/15/13. In the summer of 2015, plans to build a hydroelectric power plant on the Una river in Northern Bosnia were blocked, also thanks to country-wide support mobilized by activists from Bihać. In another relevant instance, a detergent factory from Tuzla managed to restart production and overcome bureaucratic and political obstacles partly due to popular support gathered for their cause.

¹¹⁵ With the exception of BASOC, which received a higher amount to help cover renovation costs for the traditional Bosnian house that now hosts the center.

¹¹⁶ Interview with SA/15/7.

¹¹⁷ Author's field observations, Zenica, June-July 2015.

public, represented an important step ahead.¹¹⁸ On the one hand, the Austrian Initiative enabled the survival of civic activism in some of the most peripheral Bosnian cities, especially post-industrial urban centres now in decline. On the other hand, some of its features, such as its informality and trust-based nature, might prompt questions about the applicability of this model on a larger scale. Overall, however, the Austrian Initiative well illustrates the differences between the traditional model of international intervention in the civil society sector and a different, grassroots-based approach that seems to offer greater chances to informal groups fighting for social justice.

6.4 Conclusion

Beyond proving the relevance of socioeconomic issues for understanding justice and injustice in post-conflict settings, this chapter has also shown that socioeconomic justice can represent the basis for social mobilisation. As socioeconomic concerns still struggle to find their place within the transitional justice framework (Duthie 2010; Sharp 2014), the findings presented here contribute to demonstrating their relevance. First, it becomes apparent that experiences of socioeconomic injustice (Chapter 4), as well as alternative conceptions of justice where social and economic components take central place (Chapter 5), effectively represent the basis and inform the grievances expressed during the 2014 Bosnian protests. The protesters' focus on work, privatisations, and political participation mirrors the themes already highlighted elsewhere in this thesis. Second, while the protests were long in the making, they were the product of post-industrial, declining Bosnian towns like Zenica and Prijedor. They also stemmed from a growing engagement, on the part of activists from the progressive left, with social justice issues and with alternative forms of political participation, such as direct democracy, which build upon and overcome the legacy of socialism (Štiks 2015).

The chapter also contributes to our understanding of the relationship between socioeconomic justice and transitional justice as it is often implemented in post-conflict contexts. While societies definitely demand transitional justice in this

¹¹⁸ Author's field observations, Zenica, November 2015.

traditional sense, the Bosnian case shows that this is not sufficient, and that focusing efforts on one type of justice while neglecting all others can be damaging, as it discourages and silences alternative discourses on justice issues. Moreover, the empirical material presented in the chapter shows that the grassroots level of social mobilisation represents a very good vantage point from which to observe how conceptions of justice are put forward, negotiated and contested between local actors and international ones. The international intervention seems, in this case, to be unable to process socioeconomic justice claims as justice issues. While offering socioeconomic remedies to address the protesters' demands, these do not include and are not framed around the concept of justice. At the same time, international actors struggled to recognise workers and common citizens as the legitimate bearers of such claims, and looked for recognisable and organised interlocutors. The chapter thus contributes to showing the potential limitations of the international intervention in dealing with socioeconomic justice/injustice, especially from the perspective of local actors involved in the protests.

To conclude, the chapter shows that looking beyond the institutional aspect of post-war transformations is necessary in order to see how justice processes are situated in the lived experiences of affected societies, such as socioeconomic injustice affecting post-industrial areas (and Bosnia as a post-industrial country). In the specific case of BiH, this led to the expression of political discontent through protests in 2014. The protests were informed by the specific political conditions of Bosnia's post-war and post-socialist transition, but also resemble the struggles of other contemporary movements against neoliberalism, characterised by horizontal participation and social justice claims (Castells 2015). What is specific about Bosnia (and perhaps the former Yugoslav region) is that while social movements can draw from the socialist experience, nationalist public discourse has often discredited leftist ideas and marginalised the socialist past, thus making it harder for activists to mobilise around certain themes and ideals.¹¹⁹ Looking beyond 2014, one of the legacies of the protests has certainly been the creation of a civic basis for future action around social justice issues that may now be 'dormant', but which is ready to be mobilised in the future. In this respect, the role of powerful international actors in

¹¹⁹ See interview SA/15/3.

empowering or de-legitimising local communities as bearers of justice claims is bound to be controversial.¹²⁰

¹²⁰ Earlier versions of a few paragraphs from Chapter 6 were published in my article 'Transitional Justice and Its Discontents: Socioeconomic Justice in Bosnia and Herzegovina and the Limits of International Intervention', *Journal of Intervention and Statebuilding* 10(3): 361-381.

CONCLUSION

Key findings

This thesis has been driven by the questions of what is the role of socioeconomic justice and injustice in war and transition, and how do societies deal with socioeconomic injustice. The answer proposed, based on the evidence emerging from the case of Bosnia and Herzegovina, indicates that socioeconomic injustice does play an important role for understanding how societies experience war. In Prijedor and Zenica, these experiences of socioeconomic injustice defy conventional transitional justice approaches, as they were not necessarily linked to interethnic violence and often crossed the temporal boundary between the war and the post-war transition. Their perception was also shaped by memories of the socialist past, which played an important role in the development of specific conceptions of justice and justice claims based on redistribution. Within this context, the international intervention acknowledged experiences of injustice selectively (marginalising those grounded in the political economy of the war), and distorted the development of justice claims in Prijedor and Zenica. As the country embarked on an internationally-led process of political and economic reform, post-war socioeconomic issues were understood by the international community in a limited way, either as war-related payments to victims of physical violence, or as something to be addressed within the context of economic restructuring inspired by neoliberal (rather than justice-related) principles. The effects of such marginalisation of socioeconomic justice are visible not only in the development of justice claims that challenge – to different extents depending on local circumstances – the character and direction of the transition process, but also in the forms of social mobilisation that have increasingly assumed socioeconomic, civic and transformative traits as in the case of the 2014 protests.

Justice processes in post-conflict societies are complex endeavours, and often count on the support of international organisations that set up and/or fund transitional justice mechanisms. The most prominent of these mechanisms in the

former Yugoslavia was the ICTY, whose work has been supported by domestic war crimes prosecutions. These mechanisms, which are not under scrutiny in this thesis, reflect the international community's concern for interethnic violence, genocide, war crimes and crimes against humanity. This project has instead analysed the socioeconomic aspect of transitional justice policies in Bosnia and Herzegovina, and found that their implementation did not reflect a concern with socioeconomic violence, nor an understanding of socioeconomic justice as redistribution. Rather, restitution or compensation was seen as a means to redress the most serious crimes or physical violence suffered during the war. The restitution of property to refugees to facilitate their return home, and in particular minority return¹, could have had transformative effects on the post-Dayton ethnically divided communities, but it was not supported by adequate employment policies, social and material infrastructure. It is worth noting that returnees who had been dismissed as a result of ethnic discrimination were not granted the right to be reinstated at work by the new Labour Laws.² In turn, reparations in Bosnia are not paid as part of a collective scheme, but assessed on the basis of one's status as a civilian or veteran victim of the war. Only civilian victims with quite high levels of war-related disability can access the payments. It has also been noted that these schemes represent a hybrid between reparations and social security payments (Popić and Panjeta 2010; Hronešová 2016), and that international financial institutions tend to regard them as part of the latter category.

This is illustrative of a broader tendency, emerging from the analysis of internationally-sponsored economic reforms: what interviewees regard as socioeconomic justice issues is often understood by international actors as problems to be tackled through market reforms and liberalisation. Privatisation processes, the approval of labour laws in the RS and FBiH, the new healthcare and pension system, as well as macroeconomic policy, not only reconfigured the Bosnian economy and society, often with dysfunctional outcomes. They also played an important role in pushing socioeconomic justice concerns to the side, subordinating them to the

¹ 'Minority return' refers to the return of refugees who, by going back to their homes of origin, would be a minority group in the new post-war institutional arrangement (for instance, Bosniaks and Croats in the RS, Serbs in the FBiH).

² Labour Law of Republika Srpska, Official Gazette of Republika Srpska 38/00.

priorities of the economic and political transition. Studying the development of justice claims in post-conflict societies, thus, requires engaging closely with the role played by international organisations in the transition process beyond transitional justice. While looking at transitional justice interventions is useful to highlight the limitations of these programmes, the thesis has shown how these operate within the constraints of economic reform.

Understood here as a set of connected practices joining transitional justice and political economy, the role of the international intervention in shaping the development of justice claims becomes apparent when considering the experiences of local communities. Answering to the question of what place does socioeconomic injustice have in war and transition, and also to the transitional justice literature's concern on the extent of its relevance for processes of peacebuilding and dealing with the past, Chapter 4 analysed experiences of socioeconomic injustice in the cities of Prijedor and Zenica. Analysing wartime experiences through the lens of redistribution brings to light the many instances in which interviewees suffered from forms of violence and injustice that were socioeconomic in nature. These range from ethnically-motivated dismissals in Prijedor, which were often the first experience people had of the war, to war-related dismissals in Zenica, to extreme deprivation and social marginalisation in both cities.

Three key findings emerge from the analysis of these experiences, and the way in which they protracted themselves in the transition period. First, even when adopting the vantage point of socioeconomic justice, it is clear that experiences of socioeconomic injustice intersect with other forms of violence. The cases of Prijedor and Zenica, in particular, differ due to the nature of the war and war crimes that have been committed in the two cities. In Prijedor, where the Bosnian Serb military engaged in a systematic campaign aimed at the removal of non-Serb population, socioeconomic injustice intertwined with cultural injustice, whereas in Zenica this is not clearly evident. Moreover, in both cases we find experiences of political exclusion, as was the case in Zenica with respect to the environmental impact of the privatised steel mill. Second, these experiences and the conceptions of justice emerging from them are always mediated by memories of socialism, and by the contrast between the past and today's difficult circumstances. The third finding emerging from this part of the study underscores the importance of the international intervention as a field of

constraints shaping local communities' experience of the transition. Within the context of privatisation, deindustrialisation, and re-drawing of administrative boundaries, experiences of injustice are not temporally limited to the war, but continue to be felt in its aftermath. The transition process thus represents, for some, not an opportunity for social regeneration, but the further crystallisation or worsening of the injustice suffered. Bosnia's post-socialist condition cannot be entirely extricated from its post-war status when analysing experiences of injustice at the local level.

In order to understand what role socioeconomic justice plays in how societies deal with war and transition, the thesis has analysed the process through which justice claims are developed. This is based on the way in which past experiences of injustice and memories of the past are reinterpreted in light of the constraints and opportunities that characterise the operation of the international intervention in a specific context. On the one hand, interviewees in Prijedor and Zenica often refer to the Yugoslav period as a 'socially just' past, which acts as a point of reference for claims that have to do with the importance of work, the role of workers in society, and welfare. The past thus becomes the basis for the development of progressive justice claims in the present, and even the point of reference for forward-looking justice claims that aim at establishing a fairer society in the future. Similarly to experiences of injustice, conceptions of justice are also characterised by the joining of redistribution, recognition and representation, thus substantiating the theoretical claim that - in post-conflict societies too - justice should be understood as a multidimensional concept, and that the dualism between redistribution and recognition is analytical rather than substantial (Fraser 2003, 12).

At the same time, the way in which experience develops into justice claims is affected by the extent to which the latter can relate to broader justice narratives, such as those promoted by the international community. We have seen that international programmes mostly adopt a conception of justice focused on remedying to the consequences of ethnically-based violence. While interviewees in Prijedor can partly relate to the transitional justice narrative of overcoming interethnic tensions (as their experiences of injustice featured a prominent recognition-related component), interviewees in Zenica experience the international intervention on justice issues more through economic and social policies that they oppose. In such a situation,

economic issues are present within justice claims in both Prijedor and Zenica, but interviewees in the two cities are influenced by transitional justice discourses in different ways. In Prijedor, the ability to relate to international understandings of post-war justice offers some acknowledgment, but this is partial and does not address socioeconomic issues. Interviewees in Prijedor tend to be focused on redressing injustice in the present, rather than to aim for forward-looking redistributive justice. In Zenica, where justice claims are more transformative, this is made possible by the incommensurability of the city's dominant justice claims and the justice narrative promoted by the international community. This left Zenica at the margins of transitional justice processes, but here interviewees seem freer to develop alternative conceptions of justice that are more transformative and future-oriented.

In addition to showing the relevance, once more, of the international intervention as a set of connected practices for understanding socioeconomic justice and injustice, this part of the thesis also reinforces the argument in favour of the relevance of socioeconomic justice issues for post-war societies. It should be noted that justice claims are often expressed by groups on a socioeconomic basis in addition to an ethnic or cultural one. It is as part of a socioeconomic group – workers or the working class – that interviewees experience exclusion, marginalisation, and dismissals, and that they developed corresponding conceptions of justice. Workers are also able to experience injustice linked to misrecognition in class (rather than ethnic) terms, as when citizens of Zenica feel that the character of their hometown as a strong industrial centre has been cancelled by the war and the neoliberal transition. Economically-based justice claims, emerging from experiences of socioeconomic injustice, feature prominently among local communities' concerns and definitely deserve attention within the study and practice of transitional justice.

The last set of findings has to do with how these experiences of injustice and socioeconomic justice claims are effectively put in play, or expressed through different forms of agency. Trying to answer the question of what type of social mobilisation (if any) is prompted by these claims, the thesis has investigated the 2014 protests as a key moment during which socioeconomic justice became part of the public debate in Bosnia and Herzegovina. In tracing the origins of the protest, Chapter 6 found that the workers of the Yugoslav period might not necessarily be as active in social mobilisation based on their experience of socioeconomic justice. Due

to generational factors, and the preoccupation of making ends meet, they address their *personal* situation of socioeconomic injustice by relying on a set of survival strategies: subsistence agriculture, debt, and remittances. However, the analysis of the origins of the 2014 protests show that, as a *collective*, workers and their grievances were at the centre of the mobilisation. Moreover, if we look at the demands put forward by the protesters, organised in 'Plenum' assemblies, it becomes evident that they draw from the experiences of dismissal, privatisation, social marginalisation and exclusion emerged from the interviews conducted for this project. Similarly to the development of justice claims among local communities in Prijedor and Zenica, protesters also see 'social justice' as a set of overlapping claims where political representation is given prominence alongside redistribution. Protesters link economic themes such as unemployment, accountability for failed privatisation, and the marginal position of workers in the Bosnian society to the institutional system that perpetuates these problems, often with the support of international organisations. By addressing what they perceive as the root of injustice, and by adopting forms of social mobilisation (civic and anti-nationalist, participatory) that reject the societal divisions ascribed to the Bosnian society as much as the formal organisation of the civil society sector promoted through the peacebuilding effort, the 2014 protests constituted a transformative critique of the course of the country's transition, and a demonstration of the willingness to change it – at least for a brief political moment.

Two more elements are worth highlighting with respect to the relationship between socioeconomic justice claims and social mobilisation. Firstly, while the scope of the research broadens – when it comes to social mobilisation – to Bosnia as a whole, the comparison between Zenica and Prijedor might still be worth discussing. In this case, the varying level and type of mobilisation has been commonly explained through the different institutional set up of the two entities and social control exercised on the population. The political environment and legacy of the war could also be playing a role. Despite the fact that protests were more common and larger in Zenica than in Prijedor, in both cities informal groups working on social justice themes were established (the Plenum in Zenica, and the Informal Group for Social Justice in Prijedor), and both became part of the Austrian Initiative aimed at supporting non-registered organisations that were established around the time of the

protests. Secondly, the international reaction to the protests further demonstrates that internationally-sponsored policies and the principles underlying them do not accommodate the concept of socioeconomic justice.

The 'bracketing' of socialism in the post-war reconstruction effort effectively delegitimised justice claims based on redistribution. When faced with the protesters' focus on economic problems and social justice, international organisations understood these sets of issues through their compartmentalised view that places justice within the remit of transitional justice or rule of law programmes, and socioeconomic issues within programmes for economic reform and liberalisation. In the aftermath of the protest, the EU and IFIs pushed for the adoption of new labour laws, as well as for the completion of the privatisation process (themes that are now part of the Reform Agenda subscribed by Bosnian governments at different levels). The interaction between local conceptions of justice and the international intervention is thus characterised, even in the presence of social mobilisation, by the constraints imposed by the economic and political transition.

Rethinking the meaning of justice for societies in transition

By developing an approach that incorporates socioeconomic concerns more systematically within transitional justice, the thesis has contributed to ongoing academic debates on the relevance of socioeconomic issues in war and transition. The transitional justice literature has now been debating the socioeconomic dimension of justice and injustice for several years, yet the discussion has often seemed informed by confusing assumptions. While many scholars consider socioeconomic justice as the type of remedy to be offered for violations that are not necessarily of a socioeconomic nature (as is the case in Bosnia with reparation payments), others have recently pointed at the underexplored relationship between socioeconomic wrongs and justice processes in post-conflict and transitional societies (Arbour 2007; Chinkin 2009). It is the latter aspect that poses the most challenges to the transitional justice field, as arguments have been raised against its expansion to socioeconomic violence and injustice, warranted as unrealistic and excessive (McAuliffe 2014). As this thesis demonstrated through the analysis of this Bosnian case, however, there is a strong empirical basis for claiming that socioeconomic violence is important to fully

understand (and deal with) the consequences of war. From the theoretical point of view which is the subject of this section, this thesis began by taking a step back, and exploring how socioeconomic justice can be conceptually incorporated within a broader conception of justice for post-war and transitional countries.

The theoretical approach guiding this research thus contributes to our understanding of the relationship between socioeconomic and transitional justice by advancing a definition of socioeconomic justice for transitional societies that is based on redistribution. Nancy Fraser's work on the nature of justice claims, informing the theory, shows that justice is a multidimensional concept, covering cultural as well as socioeconomic issues, and that these are not necessarily in tension with one another but can coexist in justice claims emerging from society, and in the strategies adopted to seek redress. By addressing the question of how we can conceptually define the place of socioeconomic issues in transitional justice processes, the thesis has thus contributed a new lens to the study of post-war societies and how they deal with injustice.

The major implication of this contribution is that it prompts us to rethink the meaning of justice for societies in transition. Scholars have already engaged in such a process from a feminist or more generally critical perspective (Ní Aoláin 2009; Sharp 2015). What this thesis does, though, is pointing towards two novel ways through which we can better assess or understand justice issues in post-war and post-authoritarian countries. First and foremost, the thesis shows that justice issues are understood in a much more comprehensive way than transitional justice mechanisms usually envisage. Injustices that are commonly considered from the perspective of interethnic violence, as the case of Prijedor shows, often include important socioeconomic components. A narrow definition of injustice can thus lead to superficial forms of redress: the returnees interviewed in Prijedor, who regained their homes (a cornerstone of the international community's policy to address the consequences of ethnic cleansing), but not their former jobs or alternative ways of reintegrating within the city's socioeconomic life, are a case in point. Socioeconomic or cultural injustice, moreover, can also be aggravated by the misframing of justice claims and by other forms of exclusion from the process of democratic deliberation, such as those that characterise the political configuration of post-war Bosnia. Precisely because of the specificity of each post-war context, adopting a

multidimensional perspective to analyse justice claims seems also necessary in order to capture the way in which different types of injustice can overlap, and to better understand what strategies can be adopted to address them in such a way that does not perpetuate the tension between 'politics of equality' and 'politics of difference' (Fraser 2003, 8-9). This approach also warns against the establishment of *a priori* hierarchies of justice issues, especially when set by international organisations involved in post-war justice processes. Ultimately, such a multi-faceted approach could be easily extended and adapted to the study of other post-conflict contexts.

Secondly, the thesis contributes to revealing a tension between universalising narratives of justice to which transitional justice refers, and particular justice claims emerging from local contexts. Much of the transitional justice literature dealing with how justice norms are accepted and internalised by post-conflict states and societies focuses on the notion of individual accountability for crimes. This is for instance the case for debates on the 'justice cascade' (Sikkink 2011), including in their application to the cases of the former Yugoslav countries, where the process of norm diffusion seems to be much more challenged (Subotić 2009, Lamont 2010). Subotić (2015) has indeed suggested that studies on the former Yugoslavia contribute to the transitional justice and human rights literature with a sort of 'cautionary tale' on the power of norms. Other scholars have also noted the possible gap formed between local attitudes or preferences on the one hand, and the 'sort of activism identified by Sikkink as central to the justice cascade' (Vinjamuri and Snyder 2015, 318). On the other hand, these arguments should be balanced against the findings of the law and society literature, which has shown how local communities are not only subject to the influence of international norms such as individual accountability, but are also capable of re-working them and adapting them for their own use (Nettelfield 2010).

The thesis, however, shows another aspect of this tension between universalising notions of justice and local expectations, between the content of locally-produced justice claims, which incorporates redistributive components, and the internationally-promoted transitional justice narratives that marginalise this aspect. The gap becomes quite visible if we consider Bosnians social conceptions about the places where the process of experiencing injustice and developing justice claims belongs. Justice is not understood – at least not exclusively – as a matter pertaining to the courtroom (as commonly thought by international actors

intervening in the country). Interviewees' accounts of injustice are nested within the social spaces they inhabited before the war. The places of justice and injustice are, in practice, the factories, workshops, offices, and public spaces from which people were evicted, in many different ways, as a result of the war, and that they could not re-occupy during the transition. This is the case for Bosnian Muslims and Croats in Prijedor when they were fired from their jobs in 1992, then socially marginalised and made identifiable in public through a white armband. For the most part, minority returnees never went back to work, and often live private lives and socialise in private. In Zenica the state, with its complex institutional set up that many people oppose, has taken over work spaces such as the RMK building (now the offices of the Zenica-Doboj Canton), and sold off others such as the steel mill. The 2014 protests themselves used the disruption of this privatisation of space as a weapon, by occupying streets, holding public assemblies in theatres and youth centres, and seeking active citizen participation in public life. The thesis thus shows the importance of alternative spaces for understanding the nature and emergence of justice claims in post-war societies.

The thesis does not resolve the tension between particular justice conceptions and international norms of justice. This tension is, however, acknowledged and used as a source for productive reflection. While it is not possible to reconcile particular and universal, it is possible to make an effort at formulating a more inclusive concept of justice, one that does not necessarily envisage the primacy of individual criminal accountability for justice processes in post-war societies. Can socioeconomic justice, though, effectively be included within the transitional justice framework? Some might suggest that local communities are better off by dealing with socioeconomic injustice outside of the constraints posed by transitional justice. However, this does not address the crucial issue of why the terms and conditions of transitional justice should still be set by external actors with little local participation. Perhaps local communities would benefit more from contributing to reshaping our understanding of transitional justice. Moreover, while the incorporation of socioeconomic concerns poses challenges, it is not clear whether local communities would be able to work towards redistributive justice without taking into account economic or institutional reforms promoted by international organisations in post-conflict countries. As we have seen in the Bosnian case, political-institutional as well as economic reforms

significantly affect the conditions within which justice claims develop, and some sort of interaction between the international and local in shaping the process of dealing with socioeconomic injustice appears almost inevitable.

Lastly, the thesis reinforces calls for considering local circumstances carefully. The specific experiences of injustice, references to the past as a benchmark for a just society, and the way in which the international intervention prompts a reinterpretation of these issues into justice claims, are specific not only to Bosnia as a country but to the city context of Prijedor or Zenica. The presence of the iron ore mines in Prijedor shaped the city's history and development, the war – when workers were fired and one of the mines was used as a prison camp – and the deindustrialisation phase during the post-war transition. A similar role is played by the steel mill in Zenica. The thesis thus opens up the question of how, in different contexts, locally-relevant claims can be articulated with reference to a more general theoretical approach that aims at capturing the different manifestations of justice and injustice.

Accountability and the role of international actors in peace and justice processes

This thesis' analysis of the links between justice issues and different ways in which the intervention of international actors might affect them makes another important contribution to the literature on interventions in post-war and transitional countries. This thesis shows that a large part of local justice conceptions actually deviates from internationally-sponsored norms, and traces their development and struggle to emerge. In order to do this, though, it is necessary to consider the context of intervention more broadly. While international interventions in the justice field are usually understood as those relating to the establishment of tribunals, facilitating the work of courts, or even commissions, the thesis shows that it is necessary to consider how other aspects of the transition constrain and bound the operation of justice processes and the emergence of justice claims.

Studies on different aspects of a country's transition, and on how changes in the political, social and economic field are guided by international policies, have for a long time been more isolated than fruitfully connected. While from the 1990s transitional justice has been increasingly seen as part of peacebuilding processes, the

nexus between the latter and transitional justice programmes has long remained underexplored, and the scholarship is now trying to address this point (Baker and Obradović-Wochnik 2016). Save for a few notable exceptions (Nagy 2008, Sriram 2007), these literatures rarely overlapped (Millar and Lecy 2016). What is still under-researched, and addressed in this thesis, is the way in which other parts of the international intervention also operate as a set of connected practices. Transitional justice programmes are linked through multiple threads to peacebuilding, but they also operate within the constraints set by the political economy of the transition.

Transitional justice incorporated socioeconomic concerns half-heartedly, with a focus on the consequences of physical violence and ethnic cleansing that would be affirmatively redressed through compensation. In addition to operating in a dysfunctional way, the possibility to disburse sums to victims has been constantly put in question by the pressure exerted by IFIs concerned about budgetary stability, which have generally considered these payments as part of welfare support rather than as reparations for wartime violence. On the other hand, the economic reforms promoted by international actors reflected market concerns rather than social justice principles. This led them, for instance, to lobby for labour legislation that overlooked the rights of those unjustly dismissed (and the importance work had in the refugee return process), and to divert financial support away from the industrial sector and towards small or micro enterprises that failed to generate sustainable employment in cities like Zenica. The empirical analysis of Chapters 4-6 further illustrates the extent to which the economic transition is important for understanding how people experience injustice and construe the very concept of justice.

The thesis thus reinterprets justice processes as embedded not only within peacebuilding, but also within the political economy of the transition, and this has three implications that are discussed here. Firstly, this can represent the basis for developing further insights into the notion of accountability. In post-war contexts, this is inevitably shaped by the particular conditions of the conflict, the ensuing transition, and the particular transitional justice mechanisms adopted. In many cases, including the former Yugoslavia and Bosnia, a legalistic approach to transitional justice has dominated, based on the establishment of individual accountability for war crimes. Alternative processes, led by civil society organisations, have been initiated to complement the work of tribunals and courts. The Coalition for the

establishment of a Regional Commission (RECOM/REKOM) and the Women's Court in Sarajevo are relevant examples (Jeffrey and Jakala 2012; Bonora 2013; O'Reilly 2016). The literature has also recognised that individual criminal responsibility might not address the collective and systematic dimensions of crimes such as genocide or crimes against humanity (Drumbl 2007), and developed alternative models for understanding societal responsibility and denial (Gordy 2013).

This research on socioeconomic justice has pointed towards the relevance of such questions on accountability, especially in relation to the role of international actors involved in the political-economic process of reform. The analysis of experiences of injustice in Prijedor and Zenica shows that such reforms contributed to creating an environment within which socioeconomic issues could not be resolved, and were often aggravated. The study of justice claims and social mobilisation makes clear that local communities hold (public and private) international actors, as well as domestic political elites, accountable for their conditions. As refugees began returning to Prijedor, it was the labour law sought by the international community that did not grant them rights with respect to their previous employment. In Zenica, the acquisition of the steel mill was supported by international loans, and Mittal was allowed to renege on their commitments on the number of workers to be employed after the privatisation. Most importantly, citizens and environmental NGOs have since held ArcelorMittal responsible for the deadly levels of air pollution in the city, with their cries falling on the deaf ears of international officials. Post-socialist economic reform, detached from justice-related matters, relied on policy choices that were ultimately flawed, such as the decision to privatise firms before restructuring them, leading to widespread asset stripping and corruption. From the vantage point of this thesis, a transformative attempt to redress social injustice as depicted by interviewees cannot exclude international financial institutions and private companies from a discussion about accountability.

Secondly, the thesis' contribution to the literature on international interventions also has implications for the relationship between the latter and local justice processes. We have already seen in the previous section that international justice norms do not necessarily conform to the expectations of local populations, which in the case of Bosnia resulted in the marginalisation of redistribution claims. In addition to this, the international intervention interacts with the development of

justice claims by promoting policies that, voluntarily or not, limit the possibility of citizens to frame their grievances as justice claims. As discussed in Chapter 2, Fraser notes that political issues of representation constitute second-order questions of who are the 'subjects entitled to a just distribution or reciprocal recognition in the given case' (Fraser 2005, 72), and furthermore 'how such claims are to be mooted and adjudicated' (Ibid., 75). Throughout the empirical chapters, we have stressed how experiences of socioeconomic injustice and conceptions of justice are reinterpreted on the basis of the way in which the international intervention interacted with a specific context. In the city of Prijedor, non-Serb citizens that had been victim of socioeconomic and cultural injustice could relate the latter experience to the international narrative – something that was not possible in Zenica. The international community's role in promoting one version of justice (judicial accountability) and in pushing forward economic reforms might have thus contributed to *misframing*, by drawing the boundaries of the community (of victims of injustice) 'in such a way as to wrongly exclude some people from the chance to participate at all in its authorised contests over justice' (Fraser 2005, 76). While the international intervention is conceived and presented as a support to the country's transition, some of the priorities and modes of operation of the intervention itself might call into question such supportive role. At the same time, local communities still refer to, and make use of, internationally promoted justice narratives aimed at achieving some form of cultural recognition. The relationship between emerging justice issues at the local level and the international actors is much more complex and characterised by 'frictions' (Hinton 2010) than what is often allowed.

There is another, crucial way in which international policies can have an ambivalent impact on justice processes which go beyond the role of norm-promotion often discussed by the literature. The explicit link between different aspects of the intervention, indeed, also becomes clear in the constraints it poses to parts of the Bosnian society and the opportunities it offers to others. It appears from the findings of the thesis that the workers were victims not only of the war that destroyed much of the infrastructure and productive assets of the country, but also of the transition that never employed them to rebuild these assets. While not the focus of this thesis, deindustrialisation and rising unemployment are also gendered phenomena. To give one example, during the transition female participation in the labour market has been

significantly lower than that of men in Bosnia.³ On the other hand, individuals with good political connections during the war and in the post-war period could benefit from favourable conditions for acquiring privatised companies. They often profited from asset stripping rather than contributing to restart the Bosnian economy. Additionally, the political settlement reached at Dayton put political elites in the advantageous position of managing an institutional system where employment could be easily used to build client networks, and nationalism mobilised to gather the additional support needed to remain in power.

The attempt to bring other issues 'from the margins' within conventional understandings of transitional justice has been questioned on the grounds that transitional justice does not have the capacity to address everything (Duthie 2010). Arguments based on efficiency and capabilities, however, leave us wondering who should be the arbiter of what justice issues are, in each context, addressed through transitional justice mechanisms and which not. After the previous section has warned against imposing a hierarchy of justice issues on local communities, this one raises the issue of whether international actors are best placed to do this, given that – especially when it comes to socioeconomic justice issues – their role can be seen as quite controversial.

Escaping the post-war condition: linking Bosnian agency with international movements for social justice

This thesis has sought to tell a different story about Bosnia and Herzegovina, one that escapes from the ethnic and national categories through which the conflict and transition are often interpreted. It has adopted a different perspective to the study of justice issues that emphasises their socioeconomic dimension. The different account of justice issues from a socioeconomic perspective is carried out through fieldwork conducted among communities of Bosnians, especially former workers from Zenica

³ World Bank Agency for Statistics of Bosnia and Herzegovina, FBiH Institute for Statistics and RS Institute for Statistics, *Bosnia and Herzegovina: Gender Disparities in Endowments, Access to Economic Opportunities and Agency*, May 2015, available at <<http://documents.worldbank.org/curated/en/754241467992483659/pdf/97640-ESW-P132666-and-P152786-Box385353B-PUBLIC-BiH-Gender-Disparities-in-Endowments.pdf>>, accessed 1 November 2016.

and Prijedor. The close observation of the city context and the interviews carried out with citizens constitute the backbone of the material upon which the empirical contribution of the thesis relies. In brief, the analysis of socioeconomic issues in Bosnia and Herzegovina is conducted in four steps, corresponding to the empirical Chapters 3-6. First, transitional justice programmes dealing with potentially relevant socioeconomic issues and political economic reforms were analysed to highlight the role of the international intervention in Bosnia in creating the context for the continuation of socioeconomic injustice after the war. Second, the change of perspective in the analysis of wartime injustice, moving from recognition to redistribution, showed the importance of socioeconomic injustice for local communities. It also pointed to the blurred temporal dimension of injustice, which is often protracted during the transition period, and to the overlap of different justice issues covering redistribution, recognition and representation. Chapter 5 then showed how pre-existing conceptions about socioeconomic issues, developed during socialist times, also contribute to explaining how justice conceptions are formed. Lastly, research into the themes and forms of mobilisation adopted by the 2014 protest movement also reveal the importance of socioeconomic justice issues for social mobilisation.

The empirical findings of the thesis can be developed further into three points. From a research-related and policy-related perspective, there is more to Bosnia and Herzegovina than the ethnic divisions that are too often regarded as a default explanatory variable. There is also more to Bosnia, from a justice perspective, than the war crimes trials that still serve an important function in establishing individual accountability and uncovering evidence about wartime events. The thesis has shown that socioeconomic injustice affects Bosnian society in an immediate and dramatically relevant way. Ethnic divisions are sometimes relevant to explaining how such injustice developed from the war, but are not always relevant for understanding how this continued through time, and how the international intervention has attempted (and mostly fallen short of) addressing the emergence of grievances in this respect. The separation between those who have been disempowered by the war and the transition (such as workers), and those who have been empowered by it – especially political elites and entrepreneurs with political connections and capital acquired with the fall of the socialist system and through the conflict itself – is instead a key element

in the analysis of experiences of socioeconomic injustice and conceptions of justice in Bosnia and Herzegovina.

From the point of view of the development of justice claims in the Bosnian context, there are two relevant issues to be raised. The research presented here has adopted a grassroots perspective on society and attempted to give a voice to local Bosnian communities that are mostly informally organised. They are removed from the formal civil society sector, in Bosnia populated by thousands of non-governmental organisations registered in the post-war period. In many cases, established NGOs dealing with transitional justice issues (often based in Sarajevo) have counted on the support of the international community in order to pursue their activities. The peacebuilding agenda promoted by international organisations largely relied on NGO work to support the sustainability of institutional effort, with the aim of promoting tolerance, justice and democratic values in the broader society. Scholars have noted that the activities of NGOs have, to a certain extent, been modelled around the priorities of international funders (Belloni 2007). With time, this has resulted in a gap between the professionalised project work of NGOs and the grievances of the Bosnian society. Activists agree that the perception of NGOs among the local population is often compromised by this, regardless of whether or when it holds true. While much research has been devoted to the study of the NGO sector, this thesis shows that the Bosnian society outside of the organised civil society is crucial for explaining how justice claims emerge based on experiences of injustice, memories of the past, and how these interact with the transition context. Alternative forms of organisation, such as those emerged in the 2014 protests, are just as important and have continued to develop after the partial dissolution of the plenum movement. In Sarajevo, left out of the circuit of funding provided by the Austrian Initiative, informal groups such as *Jedan grad Jedna borba* (*One city One fight/struggle*) have emerged to campaign on issues including the management of the water supply network and access restrictions to the former public library Vijećnica.

As a result, socioeconomic justice issues as analysed in this thesis seem to belong more to processes of political contention (Tilly and Tarrow 2015), rather than related to the 'conventional' transitional justice actors in Bosnia and Herzegovina, such as organised civil society groups, international organisations, and state authorities. Socioeconomic justice is fruitfully analysed, as done in this thesis, from

the point of view of 'claims' which inherently pertain to the world of political struggle and social mobilisation. The 2014 protests gave an illustration of how these claims can lead to the emergence of a protest movement, but – as the lives of workers in Prijedor and Zenica show – the struggle is also present on an individual level in the everyday experiences of affected communities.

The 2014 protests bring us to the last point to be discussed here in relation to the empirical findings of the thesis, which has to do with Bosnia's position with respect to broader, transnational phenomena. The mobilisation inspired by the grievances of former workers, brought up by activists from different cities, organised in open and informal groups, gives us yet another representation of Bosnia that is different from the ethnonationalist narrative. The socioeconomic and civic character of the mobilisation again show that a different story can be told about Bosnia, from a social perspective that accounts for much of the discontent felt by Bosnians today. The 2014 protests also help inscribe Bosnia within broader dynamics of scepticism and social opposition towards neoliberalism and austerity that characterised movements in other parts of Europe and the world in the aftermath of the 2008 financial crisis. While the study of justice issues in Bosnia has over the past years contributed to our understanding of the legacy of the war, the impact of war crime prosecutions, and so on, this thesis' findings connect Bosnian movements with their counterparts not only in other post-Yugoslav states like Croatia and Serbia, but also throughout Europe or North America. In the Bosnian case, we can trace the development of such mobilisation from different types of overlapping injustice felt during the war, through the transition period during which there was an attempt to steer the political economy of the country towards market capitalism, and to the 2008 crisis that put public finances and banks under strain, similarly to other contexts.

Implications for further research and for the practice of dealing with the past

The thesis concludes with a short section that proposes, based on the extended findings discussed in this chapter, three questions worth pursuing in future academic research. The same questions bear relevance for policy makers, NGO workers, activities and more in general practitioners involved in the field of transitional justice. Each of them tries to develop thoughts emerging from the previous three sections.

Does transitional justice inherently limit the scope for socioeconomic justice? One of the pressing questions emerging from the thesis, and potentially relevant for further research, is whether transitional justice is somehow limited by default. In other words, is transitional justice inevitably linked to other parts of the intervention that make socioeconomic justice impossible, such as economic reforms that are conceived based on market criteria and pose constraints to justice programmes? This question touches onto the very nature of what transitional justice is, and what priority different justice issues should be given in the aftermath of war. It might be argued that this problem is not posed by the process of dealing with the past itself, but by the way in which transitional justice has been actually implemented in transitional societies over the past decades. This entails a possible research agenda for transitional justice scholars interested in understanding to what extent transitional policies might have facilitated or stifled attempts at achieving socioeconomic justice in other contexts, beyond the Bosnian case discussed in this thesis. From the perspective of policy makers, being aware of the possible tensions emerging between transitional justice goals and political or economic reforms would be essential in order to avoid marginalising legitimate concerns raised by the local population. This is even more important for international actors involved in peacebuilding and supporting transitions in post-war and post-authoritarian countries, as their role and legitimacy have often been questioned.

Who are the actors involved in post-war socioeconomic justice processes? This thesis has specifically focused on the interaction between local actors and international processes. It has done so by highlighting the relevance of communities that are still under-researched by transitional justice scholars, those who have been affected by the conflict in a different way compared to the commonly considered consequences of war crimes and crimes against humanity. The research analyses the role of workers as post-Yugoslav communities disrupted by the war. These were only partly reconstructed during the transition, as workers turned into unemployed persons or pensioners, and into representatives of an old order requiring deep change in the eyes of the international interveners. A second set of actors involved in socioeconomic justice processes, then, is the ensemble of organisations and individuals affecting the country's process of democratisation and economic reform. As suggested above, the role of large private corporations and the type of corporate social policy they should

adopt in post-war settings is something to be further explored. A limitation of this thesis, due to the scope of the research, is that the role of the state and domestic elites is only marginally analysed in relation to the justice claims expressed by local communities on the one hand, and with respect to the implementation of internationally-sponsored reforms on the other. The importance of justice in its political dimension, as fair representation, that emerges from the research conducted in Bosnia suggests that this intermediate level, situated between the society and the international, constitutes a topic of interest in its own right. Future research on this topic will therefore need to address the important question of the role of domestic political elites and institutions in the process of development and adjudication of socioeconomic justice claims. At the same time, practitioners would benefit from recognising the value of re-assessing the boundaries of the community belonging to post-war justice processes based on local experiences of injustice, justice claims, and their interaction with national and international authorities.

What can we learn from the study of particular experiences of injustice and local articulations of justice claims that can be applied to other contexts? This question somehow reformulates the tension between general conceptions of justice that guide transitional justice interventions and the locally-dependent nature of justice claims. It does so in a way that can be of interest to policy-makers developing plans for post-conflict interventions. On the one hand, the case of Bosnia shows that the way in which socioeconomic injustice was experienced, and expectations of justice formed, were essentially connected to the way in which cities developed economically through time, which in turn affected the course of the war and the following transition process. On the other hand, the thesis has proposed an understanding of justice that envisages the interaction of different elements and possible claims, including socioeconomic ones that struggle to fit within mainstream understandings of transitional justice. If we take justice into account as a multi-dimensional process, the challenge for scholars and practitioners is not to find a fixed meaning of justice for societies in transition, but to understand – in each separate context – how these dimensions give rise to mobile, temporary and contested conceptions of justice and justice claims. Relying on a methodological approach that attempts to link local observations to macro-processes shaping the context seems particularly promising in this respect. For policy makers, taking into account the multi-dimensional character

of justice as well as its local articulations will be essential in defining how it is possible to learn something from one context and apply it to another, which is often an objective of international organisations working in post-conflict contexts. This approach to justice issues as a mix of redistribution, recognition and representation, coupled with the blurred temporal nature of experiences of injustice (developing during war but continuing in the transition period), also invites scholars and practitioners to avoid drawing strict boundaries between transitional justice and 'ordinary' justice, and avoid locking countries in a post-war transitional condition that does not reflect the broad scope of social claims and their potential contribution to achieving justice by establishing the basis for a fairer society.

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