

The Impact of Consociational Peace Agreements on the  
Descriptive Representation of Women in National and  
Sub-National Political Institutions in Divided Societies:  
The Case of Bosnia and Herzegovina

Tajma Kapić

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Tajma Kapić

B.A., M.A.

School of Law and Government  
Dublin City University

Supervisor:

Professor Eileen Connolly

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# Declaration

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This is dedicated to those who are no longer here, and to those who survived.

To Ahmar, Svonn, and Grace: I miss you more with each passing day.

To everyone who supported, inspired, and guided me on this journey: Thank you all,  
from the bottom of my heart.

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## List of Abbreviations

Abbreviation	Explanation
AFFW	Anti-Fascist Front of Women
AVNOJ	Anti-Fascist Council of the People's Liberation of Yugoslavia
AV	The alternative vote
BiH	Bosne i Hercegovine (Bosnia and Herzegovina)
CEDAW	The Convention on the Elimination of all Forms of Discrimination Against Women
CPY	The Communist Party of Yugoslavia
CRSW	The Conference for the Social Role of Women
DF	Demokratska Fronta (Democratic Front)
DPA	Dayton Peace Agreement
ECHR	European Convention on Human Rights (ECHR)
ECtHR	The European Court of Human Rights
EU	European Union
FBiH	Federacije Bosne i Hercegovine (Federation of Bosnia and Herzegovina)
FIDP	Federal Institute for Development Programming
GEL	Gender Equality Law

HDZ BiH	Hrvatska Demokratska Zajednica Bosne i Hercegovine (Croat Democratic Union of Bosnia and Herzegovina)
HDZ 1990	Hrvatska Demokratska Zajednica 1990 (Croat Democratic Union 1990)
IMF	The International Monetary Fund
JNA	Jugoslovenska Narodna Armija (Yugoslav People's Army)
LCY	The League of Communists of Yugoslavia
NATO	North Atlantic Treaty Organisation
NDH	Nezavisna Drzava Hrvatska (Independent State of Croatia)
NDI	National Democratic Institute
NGO	Non-governmental Organisation
NOV	Narodnooslobodilacka Vosjka (National Liberation Army)
OHR	Office of the High Representative
ODIHR	Office for Democratic Institutions and Human Rights
OSCE	Organisation for Security and Cooperation in Europe
PR	Proportional Representation
RS	Republika Srpska (Serb Republic)
SBB	Savez za Bolju Budućnost Bosne i Hercegovine (Union for a Better Future of Bosnia and Herzegovina)
SDA	Stranka Demokratske Akcije (Party for Democratic Action) SDLP Social Democratic and Labour Party
SDP BiH	Socijaldemokratske Partije Bosne i Hercegovine (Social Democratic Party of Bosnia and Herzegovina)
SDS	Srpska Demokratska Stranka (Serb Democratic Party)
SFRY	Socialist Federative Republic of Yugoslavia

SNSD	Savez Nezavisnih Socijaldemokrata
SRBiH	Socialist Republic of Bosnia and Herzegovina
STV	Single transferable vote
UNDP	United Nations Development Programme
UN	United Nations
USA	United States of America
WWI	World War I
WWII	World War II

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# Abstract

Tajma Kapić

## The Impact of Consociational Peace Agreements on the Descriptive Representation of Women in National and Sub-National Political Institutions in Divided Societies: The Case of Bosnia and Herzegovina

The main purpose of this research is to examine gendered outcomes of peace processes and processes of post-conflict reconstruction. One of the most celebrated consociational peace settlements, the Dayton Peace Agreement, often described in the literature as a new ‘social contract’, was to set the standards for post-conflict societies. Power-sharing agreements are the most commonly used form of agreement aimed at resolving conflicts based on ethno-national identity, although it is argued that they give insufficient political rights to women (Bjorkdahl, 2012). As part of this debate the Dayton Peace Agreement has been criticised for the fact that its focus on ethnicity has meant that up to the present, ethnic divisions have been privileged at the expense of other forms of social identity, including gender. From this perspective it is argued that the institutions put in place by the Dayton Peace Agreement have had the tendency to reinforce women’s inequality, including in low levels of political representation.

This research examines the gendered impact of the continued ethnic divisions in the post-settlement era on women, in the context of the Dayton Peace Agreement, in terms of their political representation as a contribution to this debate. The complex structure of government institutions in Bosnia and Herzegovina, that are an integral part of the consociation agreement, allow the impact of ethnicity to be accessed at the different level of government and the wide variety in the percentage of women in the different legislative bodies to be explained. In particular, the variety in the ethnic composition of the local government units and the significant variety in levels of

women's representation facilitates a within case comparative method. The thesis uses this analysis to draw lessons from the impact of the Dayton Peace Agreement and in particular its gendered aspects on Bosnia and Herzegovina that can be used to inform future agreements that are based on the tenets of consociationalism.

## Introduction

The main focus of this study is on one of the earliest and the most celebrated consociational peace agreements, the Dayton Peace Agreement. When the Dayton Peace Agreement, after months of negotiations, was signed in December 1995, it put a stop to a three and a half year-long war in Bosnia and Herzegovina. This war became known for its extreme violence that left hundreds of thousands of people dead and injured and resulted in the largest exodus of the population in Europe since WWII. This agreement was subsequently used as a model for other peace negotiations and is considered to have set the standards for resolving other interethnic conflicts establishing peaceful and democratic post-conflict societies (Bjorkdahl, 2012; Byrne and McCulloch, 2018). In practice, the Dayton Peace Agreement created an extremely complicated and cumbersome institutional structure. In order to address the ethno-national interests of three opposing parties, the solution offered in Dayton was an intricate, asymmetrical state with multiple levels of government. As a result, Bosnia and Herzegovina, with a population size of 3.3 million (World Bank, 2019), contains, within its borders, one federation, one republic, and one independent district. The federation is further divided into ten Cantons with the attributes of mini-states, each with its own Constitution, government, legislature, and judiciary. There are also 141 municipalities across the state (Agency for Statistics BiH, 2013). In terms of governing bodies, this resulted in 13 separate Governments headed by 13 Prime Ministers and 136 ministries at different levels of the political system (Directorate for European Integration BiH, 2012). The complexity and rigidity of this polity have been a major focus of the criticism of this format of peace agreements (Bieber, 2013).

Another major criticism of the Dayton Agreement in particular, and consociationalism in general, is that it ignored the needs of women and weakened their position in the post-conflict state (Byrne and McCulloch, 2012). Today, more than twenty-five years after the Dayton Peace Agreement was signed, the position of women in Post-Dayton Bosnia and Herzegovina remains comparatively weak, and in spite of the introduction of quotas, women's political representation at the national level is now only 21.4% still below the global average (IPU Parline, 2019). The aim of this research is to examine what factors unpin the poor performance of the state on gender issues. Is it

attributable to the consociational arrangements? Or is the post-conflict and post-socialist character of the state the main influencing factors?

My interest in this research area is driven by my personal experience as a survivor of the war in Bosnia and Herzegovina and my continuing concern for the welfare of women in post-conflict situations. Throughout the war, I worked in a local children's aid organisation, distributing aid to children across the ethnic divides in my hometown of Mostar. Since the end of the war, I have been either learning about or working towards improving the lives of women and girls in the countries affected by war and disasters. While undertaking a master's degree in Development studies, I examined the experience of women refugees from Bosnia and Herzegovina. Following on from this, I felt that addressing the question of what happened to women who remained in the country, deserves equal attention on my part. I wanted to explore the degree to which the peace settlement was responsible for the continued weak position of women. In doing this research, I also aim to contribute to a discussion on the reforms necessary to implement gender equality in political representation in this state and to contribute to the wider discussion on integrating gender equality into consociational peace agreements.

The research asks if the failure to progressively improve the position of women is a result of the consociational structure of the state, and therefore a flaw in consociationalism as a model, or is it the particular structure of the Dayton Peace Agreement, and the way in which it is implemented? The academic literature on consociationalism is divided between those who support the idea of consociationalism based on the accommodation of the groups in conflict (McGarry and O'Leary, 2006; McEvoy; 2015), and those who are critical of this model both in theory and practice (Horowitz, 2002; Jarstad, 2009; Rothchild and Roeder, 2005). The key criticism of consociational agreements is that they are inflexible and do not allow a polity to develop (Aitken, 2010; Howard, 2012). Consociationalism has also been criticised from a gender perspective, including the fact that there were no women present at the negotiations on which the state was founded (Bjorkdahl, 2012). The main criticism of consociationalism from a gender perspective, which leads to lower levels of women's political engagement, is that such models by privileging ethnicity, inevitably disadvantage women (Byrne and McCulloch 2012; Kennedy, Pierson and Thompson, 2016). This is based on the view that prioritising ethnic quotas makes the implementation of gender quotas

more problematic and that political parties whose ideology is based on ethnonationalism are less likely to promote women (Murtagh, 2008; Byrne and McCulloch 2012; Kennedy, Pierson and Thompson, 2016).

Based on these debates in the literature, this study analysed the gendered impact of consociational peace agreements, using the Dayton Peace Agreement in Bosnia and Herzegovina as a case study. The research explores the influence that this peace agreement has had on the political representation of women, and on the role women play in the public domain in the post-Dayton context in Bosnia and Herzegovina. To explore the gendered outcomes of such a complex polity, the study aims to examine the impact that the Dayton Peace Agreement has on the descriptive representation of women in national and sub-national political institutions. It asks, has the Dayton Peace Agreement, and how it has shaped the institutional structure of Bosnia and Herzegovina, creating barriers for women in terms of their political engagement? The thesis also asks how can the variation in the political representation of women in the various units of the Post-Dayton political system be explained? How do ethnic cleavages embedded in the consociational political system influence the political representation of women? The questions asked in the thesis will also consider the existence of other negative factors that have an impact on women's position, including that Bosnia and Herzegovina is both a post-conflict and a post-socialist state. The findings of this thesis will contribute to the discussion on potential institutional reform in Bosnia and Herzegovina and also how the experience of the implementation of the Dayton Peace Agreement can contribute to the development of future peace processes.

The thesis uses original descriptive statistics and document analysis to examine the interrelationship between the institutional structure and women's political representation. It uses the case study of the Cantons of the Federation of Bosnia and Herzegovina to examine in more detail, the relationship between women's political representation and key societal factors, including ethnicity and economic development. It also uses in-depth semi-structured interviews with a range of elite actors. The interviews bring out the voices of women politicians, highlighting women's experience in the state. They were conducted in Sarajevo, Mostar, Siroki Brijeg and Trebinje, during my field research in 2017 and 2018. This, coupled with the original descriptive statistical data on the number of women at the different levels of government in each post-Dayton

election, the participation of women in political party structures, economic development, and other key socio-demographic indicators, are used in the analysis of the gendered impact of the Dayton Peace Agreement.

This study argues that the political and administrative institutions created by the Dayton Peace Agreement froze the ethnic cleavages that had been cemented by the war in Bosnia and Herzegovina. These institutions, that are based on the representation of ethnonational groups at the expense of all other categories in society, are intricate and cumbersome institutional structures, represent a major barrier to the representation of women in public life in this polity. From the time of the settlement, this resulted in a low and erratic representation of women in legislative bodies at different levels of government, which is particularly apparent at the subnational level of Cantons. The thesis uses an analysis of this level of local government and the original data collected for the Cantons in the form of descriptive statistics did not indicate that the Dayton Peace Agreement's institutional structure, or the ethnic composition of the cantons, negatively impacting the low representation of women in the Cantonal Assemblies. Other factors including most significantly the level of economic development had greater explanatory powers. The thesis also interviews a range of elite actors and their perception contradicted this finding. These informants were of the view that the ethnic cleavages, frozen by the consociational Dayton Peace Agreement, as well as the complexity of institutions it created, are the main hurdle to a meaningful representation of women in the country's political and public institutions and to pro-women policy development.

This study addresses a gap in the literature on the gendered nature of consociational state structures, by looking at the different levels of the political and institutional system in Bosnia and Herzegovina. It contributes to the academic debates by identifying the main factors that shaped the gendered outcomes of consociational peace processes and the post-conflict reconstruction. The finding of the thesis argues for the greater inclusion of women in the architecture of the post-conflict societies and for the need to envisage a future path for the reconstruction of the state beyond the containment of active violence. A weakness of the Dayton Peace Agreement was that it left very little room for future negotiations about the structure of the post-conflict state and its institutions. The research also engages in the debate on the difference between the corporate and

liberal consociations, arguing that liberal consociational peace agreements offer more flexibility to women's early engagement. The thesis discusses 'constituent groups' and their right to exercise veto powers and provides an alternative way in which these powers should be defined and invoked. Through its comparison of Bosnia and Herzegovina to other similar states in the region the research contributes to the literature on gender and post-socialist states, and regional literature on barriers to political participation of women. The thesis offers experiences from the impact of the Dayton Peace Agreement and in particular its gendered aspects on Bosnia and Herzegovina as lessons to be used by peacemakers in negotiating future consociational peace agreements.

## **Thesis Outline**

The thesis has six substantive chapters as follows:

### **Chapter 1: Gender, Conflict and Consociationalism**

This chapter discusses the theoretical framework on which the study is based. It draws on the literature on consociational power sharing in deeply divided societies. It discusses the debate in the literature on the strengths and weaknesses of the of peace settlements based on the tenets on consociationalism and it deals with criticisms of consociationalism from a gender perspective. It also considers the literature of the gender aspects of post-conflict states and of post socialist states as possible explanations of aspects of gender relations in Bosnia and Herzegovina.

### **Chapter 2: Methodology**

Sets out the research question and describes the choice of research design, data collection methods and methodology used in the study. The chapter discusses the choice of different data collection methods, used document analysis, descriptive statistics and the way in which the in-depth semi-structured interviews improved the study, in particular by giving women's own experiences of the obstacles to women's political engagement in Bosnia and Herzegovina.

### **Chapter 3: Gender and Politics in SFRY and Post-Dayton Bosnia and Herzegovina**

The core of this chapter is a historical contextualisation of the political position of women in present day Bosnia and Herzegovina. It discusses the position of women in the Socialist Federative Republic of Yugoslavia, from its emergence as the socialist state during the antifascist resistance in the World War II. It explains how the women in an extremely underdeveloped and rural country gain a considerable level of emancipation, social protection and a significant role in public life. This is important in order to understand the extent to which the post-Dayton Bosnia and Herzegovina was re-traditionalised as well as to comprehend the long-lasting impact of the wartime violence against women had on the position of women in the public sphere in this polity post Dayton. It also explains the persistent nature of ethnic conflict and the extent to which it is entrenched in the history of the region of the former SFRY.

#### **Chapter 4: Political Parties and Women's Representation in Post-Dayton Bosnia and Herzegovina**

The chapter focuses on the political system in post-Dayton Bosnia and Herzegovina and the gendered role political parties play within this system. It analyses the impact of the party ideology has on the number of women elected to legislative bodies Bosnia and Herzegovina. It also considers the impact of political party elites and wider society's perception of the ability of women to defend the 'vital national interest', through the use of a veto in the legislative institutions on the women's political representation.

#### **Chapter 5: Impact of Political and Societal Factors on Women's representation in Cantons in Bosnia and Herzegovina**

Analyses the relationship between the women's representation in the ten Cantonal Assemblies in post-Dayton elections in the Federal Republic of Bosnia. It is based on the variation in level of women's Cantonal representation across eight post-war elections in the. The high level of decentralisation of this entity, and the level of variation between the cantons, allows the impact of ethnic divisions, levels of economic development and differences between rural and urban areas to be assessed. It also discusses the role of political parties at the local level and examines the differed levels of women's representation by party over time.

## **Chapter 6: Perceptions of the Impact of the Dayton Peace Agreement on Women's Political Engagement**

The chapter focuses on the narratives based on interviewing different categories of elite actors and their perceptions of the impact of the Dayton Peace Agreement and the political system it put in place on the experience of women within this system, focusing particularly on factors influence women's political representation.

## **Chapter 1. Gender, Conflict and Consociationalism**

After the end of the Cold War, in the absence of the ‘superpower’, rivalry intrastate conflicts frequently became the subject of conflict resolution processes in which external actors engaged in negotiating an end to the conflict using ‘power sharing’ solutions (Aroussi and Vandeginste, 2013; Finlay, 2010). From this time onwards power sharing arrangements became the international community’s, preferred solution for ending intrastate wars as well as the main tool for building peace and democracy in divided societies (Aroussi and Vandeginste, 2013; Bell 2008; Bogaards, 2015; Lijphart, 2004; Rothchild and Roeder, 2005). These ‘power sharing’ arrangements were based on consociational theory, that prescribes the management of conflicts in deeply divided society through the recognition of the main ethno-national groups and the formal representation of these groups in the political system (Aroussi and Vandeginste, 2013; Finlay, 2010; Bell 2008; Bogaards, 2015; Lijphart, 2004). In spite of the frequency with which a form of consociational agreement has been applied to conflicts it remains, in the academic literature at least, a highly contested solution (Aitken, 2010; Howard, 2012; Horowitz, 2002). A key criticism is that by entrenching ethnic divisions, in what are called ‘accommodationist’ solutions, such solutions block the possibility of integrating society by overcoming the divisions that were the source of conflict, while those advocating consociationalism argue that in most cases such integrating is not possible and a form of power sharing is the only way that peace can be established (McGarry, O’Leary and Simeon, 2008). Consociational agreements have also been strongly criticised for their gender blindness (Byrne and McCulloch 2012; Zalewski, 2005; Kennedy, Pierson and Thomson, 2016) and it is argued that the failure of such agreements to take women into account is also linked to the prominence given to ethnic identities (Byrne and McCulloch 2012). The consociational agreement that ended the war in Bosnia and Herzegovina was an early post-Cold War peace agreement and it has been criticised for both ‘freezing’ the conflict through the form of ‘power sharing’ it employed (Kennedy, Pierson and Thomson, 2016), and also for failing to address the needs of women in this post-conflict society (Byrne and McCulloch 2012; Kennedy, Pierson and Thomson, 2016).

This chapter discusses the arguments for and against consociationalism as a model for peace processes with the aim of applying this discussion to the case of the Dayton Peace Agreement. It describes the way in which this theory has been developed and applied to peace negotiations in intra-state conflicts. This is followed by an examination of the critiques of consociationalism, and especially those authors who critique both the theory and practice of consociationalism from a gender perspective. It considers the specific criticisms of the Dayton Peace Agreement (1995) from this gender perspective and discusses factors that Bosnia and Herzegovina shares with other similar states that could account for negative outcomes for women, specifically being a post-conflict state and being a post-socialist state. But, firstly the chapter discusses Lijphart's foundational work on consociational power sharing and its place within accommodationist thinking.

### **Lijphart's model of Consociationalism**

Power sharing has been defined as any 'set of arrangements that prevent one agent, or organised collective agency, from being the 'winner who holds all critical power', whether temporarily or permanently (O'Leary, 2013: 3). It is this aspect of power sharing that prevent one group from monopolising government that has led to 'power sharing' being described in generally positive terms such as referring to governments as 'coalition' or 'cooperative' and decision making as 'consensual' or 'inclusive' (O'Leary, 2013: 3). While power sharing and consociationalism are often used synonymously in the literature as well as in the policy making processes, consociationalism is only one type of power sharing. The four main types of power sharing that exist in the real-world as well as in academic theory are centripetalism, territorial pluralism, multiculturalism, and consociationalism (O'Leary, 2013: 3). Centripetalism, founded on a belief that, if given incentives, ethnic political elites would moderate their positions and cooperate with other ethnic political elites (Horowitz, 2001). Multiculturalism, affirms the desirability of protecting multiple communities in both public and private spheres and to addressing the needs of minorities (O'Leary, 2013:3). Consociationalism uses the multicultural formula, with the addition of 'cross community executive power sharing'; 'veto powers' and territorial pluralism, the later seeks to deal with heterogeneity through a pluralist federation or union (O'Leary, 2013: 3).

In this way consociationalism is a model for ruling diverse societies centred on the belief of accommodating difference. In his seminal work *Democracy in Plural Societies* Lijphart (1977), argued that by employing consociational model, it is possible, although in some cases perhaps difficult, to achieve and maintain stable democracy in plural societies. His pivotal works and research dealt with the well-established western European democracies of Austria, the Netherlands, Belgium and Switzerland and the way in which their long established political systems dealt with ethnic divisions.

According to Lijphart (1977), consociation is not a specific arrangement of institutions, but a model that encompasses four main conditions:

1. Grand coalition, which means the participation of representatives of all significant groups
2. Minority veto rights to protect each group's 'vital interests'
3. The proportionality principle to serve as the basic standard of political representation
4. A high degree of community autonomy or self-government or segmental autonomy (Lijphart, 1977: 25).

The main feature and the first pillar of consociational democracy, which Lijphart refers to it as 'a prototypical consociational device' is elite cooperation (Lijphart, 1977: 1, 31). Elite cooperation exists within a framework where political leaders of all major groups in a pluralist society work together in order to run the country, with Austria and Switzerland as the two cases of 'prototypical grand coalition' (Lijphart, 1977: 31). When Lijphart was writing this, in Switzerland all four key segments of society were represented in the government, while in Austria two major groups, namely, Catholics and Socialists, both had representatives in the cabinet (Lijphart, 1977:31). At this time the Netherlands and Belgium did not have this type of a grand coalition as in both countries at least one of the major parties was in opposition for periods of time, but the changing coalitions in the government were always complemented by grand coalitions in other influential bodies (Lijphart, 1977:32).

The second pillar of consociational democracy is the mutual veto rule, the role of which is to protect the minority group's rights and also to protect their 'vital interests' (Lijphart, 1977 :25).

While being part of a grand coalition is considered to give significant political security to the minority groups, it is also recognised that sometimes, in the process of decision making in the government they can be outvoted by the majority, therefore, if they feel that an issue of vital interest for the minority group is threaten, they can apply this veto rule (Lijphart, 1977: 37, Lijphart, 1984).

The third pillar of consociationalism is the principle of proportionality. This principle plays a major role in the decision-making process since its standard of unbiased allocation of public service appointments can help prevent the emergence of divisive issues and assist consociational governments to run efficiently (Lijphart, 1977: 25). For example, in Switzerland, where the formation of the Federal Council is based on the principle of proportionality (Lijphart, 1977: 31). The fourth pillar of consociational democracy is maintaining a high degree of group autonomy. This means that decisions on issues of common societal interest can be made by the power sharing government, while issues that are the primary concern of individual groups or segments of society should be left to each segment to decide (Lijphart, 1977: 25).

In addition to these four main features, there are other 'favourable' factors that, according to Lijphart's model, can positively influence the potential success of a consociational political system, although he argues that not all of these features need to be present in all cases (Lijphart, 1977: 55). They include the degree of the segmental isolation of ethno-national communities; a multiple balance of power between ethnic communities; a tradition of elite accommodation between the different groups; a relatively small population, overarching loyalties to the polity; the presence of crosscutting cleavages that span the different groups; the presence of external threats; and a moderate multi-party system (Lijphart, 1977: 54). Lijphart (1977:54) explained the importance of these factors: 'To the extent contribute to cooperation among segmental leaders and loyal support by followers in the segments, they are conditions that are helpful not only in establishing consociational democracy in a plural society, but also, once it is established, in maintaining and strengthening it'. The presence of at least a number of these factors allows consociationalism more easily to provide for a consensus agreement between the representative elites as they are considered to be helpful not only in establishing, but also in maintaining consociational democracy (Lijphart, 1969; Lijphart 1977; Guelke; 2012; Wolff; 2003). However,

none of these favourable factors can on their own be accountable for the success or failure of consociational democracy and Lijphart's model has been subjected to criticism as while this set of factors have been shown to exist in stable democracies, they were frequently missing in divided and conflicted societies to which consociational models are applied (Belloni and Deane 2007; Norris, 2008). Lijphart however maintained that the absence of these factors did not mean that consociationalism was impossible (Lijphart, 1997:54).

### **Developing and critiquing consociationalism**

Lijphart's consociational model was developed by John McGarry and Brendan O'Leary (2006). They advocated for the use of a consociational model as a solution to the long lasting conflict in Northern Ireland, both prior to the Good Friday Agreement signed in 1998 and during its implementation (McGarry and O'Leary, 2006; 2009). While recognising the influential importance of Lijphart's work in developing the consociational theory, they describe themselves as critical supporters of the consociational model, as there are significant differences between his work and their own (McGarry and O'Leary, 2006). One of the most important differences between is that McGarry and O'Leary applying consociational theory to peace processes in intrastate conflicts and to building a durable democracy in deeply divided societies they are not concerned with its application in stable democracies (McGarry and O'Leary, 2006; 2007). Their aim is to analyse the limitations of the consociational theory in stable democracies so that it can more successfully be applied to conflict situations. In this regard they criticise Lijphart's model for being too 'internalist', that is it focuses on states and regions as if they are unchanging entities, resistant to the influence of the external forces ( McGarry and O'Leary, 2006a). As a result of its internal focus on the need for agreement on and design of, political institutions they argue that Lijphart's model cannot adequately deal with self-determination disputes, and those conflicts that involve ethnical or national communities that affect more than one state or that are focused on contested homelands (McGarry and O'Leary, 2006: 47). They propose a model that requires agreement on issues which are broader than just the institutions of government and include negotiations on the design of the police force, demilitarisation, accommodation of returnees, education reforms, the promotion of language and other group rights that are pertinent to divided societies (McGarry and

O’Leary, 2006: 47; 58). In practice this development of consociational theory does not propose ‘grand coalitions’ as the basis of consociational democracy as these coalitions are hard to achieve, especially in the context of a post-conflict society and it also favours the single transferable vote (STV) PR electoral system, over party-list proportional representation (PR) electoral system that was Lijphart’s preference. They argue that the (STV) PR electoral system is useful as it ‘allows parties to win seats with much smaller thresholds than is normally required under single-member plurality’ (McGarry and O’Leary, 2006b: 274).

Other authors have contributed to the development of consociational theory as a policy making tool and to the application of a consociational model in real world situations (McEvoy, 2015; Guelke, 2012; Bell, 2015; Wolff, 2003). McEvoy and Bell, also emphasising the external dimension of post-conflict consociational agreements, have underlined the importance of international players in consociational peace agreements and in the establishment of consociational systems (McEvoy, 2015; Bell, 2015). This is in line with the view that while the consociationalism that developed in Western Europe was adopted internally by states to proactively ensure the ongoing stability of the state, new consociational models are increasingly used as a tool by external actors and are imposed on conflict zones as means of cementing a peace agreement in the hope that this enforced accommodation between the conflicting groups will eventually develop into a stable post-conflict society (Guelke, 2012). From this perspective, consociational models have been developed as a tool for post-conflict intervention and the impact of this can be seen in their use in conflict situations internationally (McGarry and O’Leary, 2006; Bell, 2015; McEvoy; 2015).

This impact can be seen in the 242 peace agreements that have, at least temporarily ended an intrastate conflict in the PA-X Peace Agreements Database states<sup>1</sup> that were signed 1990 onwards (Bell, 2015). Most of the peace agreements in this data base which put the stop to ethno-national, religious or other conflicts within states are based on some form of power sharing and elite accommodation (Hartzell and Hoddie, 2003; Lijphart, 1977; McGarry and O’Leary, 2006). The ability of such peace agreements to, in the long run, lead to a durable and stable democracies, is contested in the academic literature, and is at the centre of an ongoing debate between advocates of consociationalism, and their critics.

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<sup>1</sup> <https://www.peaceagreements.org/>

The advocates of consociationalism do not consider it as a panacea for intrastate conflict resolution, but they do argue that it is a vital component of peace making and peace building in divided spaces (McGarry and O’Leary, 2006). Consociational power sharing as a solution for long-lasting and violent intrastate ethnic, national and communal conflicts in deeply divided societies has the capacity to deliver improved inclusion even if it also has problems (McGarry and O’Leary, 2006). McGarry and O’Leary (2006: 43) argue that ‘divided territories, be they regions or states, with historically antagonistic ethnically, religiously or linguistically divided peoples are often prudently, and sometimes optimally governed according to consociational principles’. This is based on the idea that consociationalism, in its various forms, can be applied as part of a peace process that has the capacity to calm the existing differences and to produce a more peaceful, stable situation that has the potential to provide a basis for development of a democratic state (O’Leary, 2013).

Consociationalism is based on accommodating groups in society by involving them in the executive institutions of the state; by promoting proportionality in all segments of the public sector; by granting groups autonomy, territorial or otherwise; and by allowing them to exercise minority veto rights (Lijphart, 1977: 25). In short, consociationalism ensures the participation and representation of all the main groups engaged in the conflict in the governing process (McCulloch, 2014; McGarry and O’Leary, 2007). From this perspective consociational administrations based on power sharing are not only the best creating a long lasting accommodation of ethnic, national and cultural differences but frequently in practice, these are the only conditions which would be acceptable to the conflicted parties, as part of a negotiated peace settlement. It is because some type of power sharing arrangement is usually necessary to end a conflict that can gain the cooperation and agreement of the parties in dispute, as it avoids the idea that there is an overall winner that is advantaged in the new political settlement. Such inclusive power sharing arrangements are, therefore, more likely to generate institutional stability (Lijphart, 1977).

The opponents of consociationalism base their critique on two separate arguments, firstly they question the quality of the democracy on which these post-conflict societies are based, and secondly, they question the durability of consociational peace agreements (Murtagh, 2017: 9).

Both of these elements are found in the proponents of centripetalism as a model for peace processes. This perspective argues that consociational agreements are not ethical or democratic and are very difficult if not impossible to attain in practice (Horowitz, 2002a; Murtagh, 2017). Centripetalist solutions are built on the idea that in order to engage political elites in beneficial cooperation the system they operate in should appeal to their self-interest and the best way to achieve this is through electoral system (Horowitz, 2002a; Murtagh, 2017). In order to bring about the cessation of conflict, and to encourage the different factions to move to a moderate position centripetalism proposes a majoritarian preferential electoral system, based on alternative vote or instant runoff, in the belief that this would encourage the election of moderate representatives (Horowitz, 2003). The Alternative Vote (AV), means that parties must gain votes outside of their own ethnic electorate (Horowitz, 2002b). Alternative Vote involves preferential voting, like the single transferable vote (STV) , but obliges each winning candidate to win majority support in single-member districts. This is to encourage politicians to collect votes among different ethnic groups to build such a majority. This system would reward those parties that attract votes across ethnic lines and build integration (Horowitz, 1985; 2002a). Horowitz (2000; 2014) argues that ethno-national elites are likely to positively respond to incentives embedded in this system by moderating their political positions and that this will steer them towards cooperating with other ethno-national elites. In his view, these incentives are lacking in consociational models, and it is this failure to encourage a move towards moderation that makes them unstable.

In his later writing Horowitz (2014:12), admits that centripetal power sharing systems have a high chance of failure, however he maintains that serious fault of consociational systems is that they are immobile, and freeze pre-existing political divisions, making a transition to a more flexible system extremely challenging. Wilford and Wilson (2006) have made this argument with regards to Northern Ireland, where they argue that the consociational agreement of 1998 has led to the rise of political extremes at the expense of the middle ground. Emerson (2001) suggested that a different electoral system should be implemented in Bosnia and Herzegovina as the Dayton Peace Agreement has become embedded, to give voters the possibility to express more than one electoral preference, and to encourage them to transfer across ethnic party lines. This he believes would make the state more stable in the longer term.

Another opposing view to consociationalism is the integrationist approach, which argues that overcoming ethnic or religious divisions in society are possible through integration of different groups at the level of civil society, and at the level of political institutions that are designed to support this aim (Aitken, 2010; Howard, 2012). Mc Garry and O’Leary (2007: 670) identified that the main difference between integrationist and consociationalist approaches to the post-conflict state and democracy building is that advocates of integrationism believe that state should be: ‘...impartial, meritocratic’ and should promote ‘equal citizenship through a bill of individual rights. McGarry and O’Leary (2007) argue that while integrationist standpoint is more favoured by states, consociationalism is more popular with minority groups, particularly larger ones including groups occupying the same geographical territory.

Dixon, (2011) drawing on his work on Northern Ireland has also, criticised consociational models for using a primordialist definition of ethnicity and national identity which sees them as natural and unchangeable aspects of human nature (Dixon, 2011). He argues that ‘Lijphart’s primordial interpretation of conflict leads to advocacy of segregation and rule by elite cartel’ that freezes and reinforces ethnic cleavages as a way of reducing and managing the conflict arising from the hostility between these groups (Dixon, 2011: 312). Dixon (2011) is also critical of McGarry and O’Leary’s revision of consociational theory as a retreat from a primordialist position that contains integrationist arguments, that means it has departed from Lijphart’s version of consociationalism to the extent that it is a vague and ambiguous model. In this respect Dixon does not give enough weight to the need to develop power sharing models in the light of real-world experience.

The critics of consociationalism agree that consociational agreements are very complex, and hard to reach and that once in place such agreements tend to freeze existing ethnic, national or religious cleavages (Horowitz, 2002; Jarstad, 2009; Rothchild and Roeder, 2005). However, this critical discussion frequently does not deal with the differences between the two main types of consociationalist agreements, corporate and liberal (Lijphart 1977; McGarry and O’Leary, 2007). Corporate agreements are based on ‘predetermination’, liberal agreements are based on ideas of ‘self-determination’, the difference being whether the definition of groups who will share political power are defined at the beginning of the negotiations or decided through a political process (McCulloch, 2014; McCulloch, 2014a; Murtagh 2017). According to McGarry and O’Leary

(2007: 675): ‘Corporate or predetermined consociation accommodates groups according to ascriptive criteria, such as ethnicity or religion’, while ‘...a liberal or self-determined consociation, by contrast, rewards whatever salient political identities emerge in democratic elections, whether these are based on ethnic or religious groups, or on subgroup or transgroup identities’.

Although academic advocates of consociationalism treat liberal consociation favourably, the situations for practitioners of consociationalism (McCulloch, 2014; Wolff, 2010), or as Lijphart (2008) refers to them ‘constitutional engineers’, is never clear-cut. The main role of consociational agreements is to stop the killing and to create conditions that will allow the development of a peaceful democracy. Considering that negotiations in order to stop a war, or violent ethnic conflict, and reach an agreement are usually conducted at the time when hostile parties are at the height of their differences and division, it is to be expected that consociational agreements would take up the form of corporate ones as representatives of the conflicting groups would not accept anything less than the firm guaranty of their share in power (McCulloch, 2014; McGarry and O’Leary, 2007). McCulloch (2014a: 510) argues that in conditions of conflict, ethno-national groups are in precarious positions, which means that their political elites are seeking the highest possible guarantees for their ethno-national group.

According to the above-mentioned criteria, corporate consociational peace settlements are Bosnia and Herzegovina, Burundi, and Lebanon, while the liberal consociations are in place in Iraq, and Afghanistan (McCulloch, 2014a: 505). There are some cases that have the elements of both corporate and liberal consociation, including North Macedonia, and Kenya, as well as Northern Ireland (2014a: 505). Although the Good Friday Agreement in Northern Ireland would be more often described as the liberal consociational settlement as elections took place to decide which political parties would take part in the negotiations and in what proportions (McCulloch, 2014a: 19; Murtagh, 2017).

Irrespective of the power sharing model or consociational settlement used in a peace agreement it is the political parties in the divided polities that have the task of implementing the agreement and building a new democratic state. Political parties based on ethnicity of their members and prospective voters, rather than socio-economic ideology, are the backbone of consociational,

ethnically divided societies. The main party competition in such polities is, therefore, within ethnic communities in which electoral tendencies are determined by demographics, rather than one community seeking to win votes from the other (Mitchell 2015; Jarrett, 2016). Luther (1999), argues that in the considerable literature on the theory of consociationalism and its application to consociational polities, the role of political parties has been underemphasised. He maintained that ‘looking in a systemic manner at the role of political parties in consociational democracies, one can produce greater insight into the functioning and into the strategies and procedures of political decision-making of this type of democracy’ (Luther, 1999: 2).

Political parties are expected to be the main players in providing the two-way links between the masses and elites of the ‘encapsulated subcultures’ which in the case of Bosnia and Herzegovina are ethno-national groups, as well as the policy-implementation apparatus that enables binding elite accommodation to take place (Luther, 1999). In consociational party systems, major parties, defined by the number of votes, seats in the parliaments and the number of governmental portfolios are likely to dictate the ‘rules of the game’ and to shape the language of politics (Mair, 1997; Luther, 1999). Such parties shape the nature of the state and within the different pillars of consociationalism. Under consociational pillar of ‘proportionality’ political parties agree to distribute amongst themselves and their allies from the same ethnic group the most important public-sector posts and other publicly owned resources according to the ratio which reflects the relative ‘weight’ of their ethnicity (Luther, 1999: 12). The pillar of *segmental autonomy* also allows the main ethnic political parties to collude in order to grant each other partial or full autonomy in different segments such as certain geographical areas, economic or industrial sectors or in selected organisations or public companies (Luther, 1999: 12). This collusion undermines the quality of the democracy in such agreements.

One of the most significant aspect of the relationship between ethno-national parties and party system created by consociational peace agreements is related to the participation of representatives of all significant groups in grand coalitions as one of the pillars of consociationalism. In reality this means that the decision-making process must include all significant ethno-national groups in the divided society. It has been argued that the need for inclusion in a grand coalition together with the existence of veto rights to protect each group’s ‘vital interests’ is one of the most utilised ‘tools’

by ethno-national leaders to further their own agenda at the expense of the greater good of the state (Luther 1999; Kapidzic, 2015).

It is this aspect consociationalism has been criticised as violating fundamental values of democracy, principle liberties, equality and fairness (Murtagh, 2017). Instead of building democratic political institutions, consociationalism results in a model of government where representation is based on the group rather than the individual rights that distort the polity (Howard 2012:156). In this way by favouring group identities and rights in political institutions, it is argued that this system fails to respect individual rights and essentially deprives the individual of free choice by forcing them to identify with a group or at least to be subject to political decisions based on perceptions of group political advantage (Howard, 2012). Such favouring of group rights over individual rights ultimately risks exclusion: of other smaller ethnic or national minorities, of other social categories such as women (Finlay, 2010; Nagle, 2016; Murtagh, 2017).

A major critique of this type of governance system is that it is not only gender blind, but it also exacerbates existing inequalities.

### **Gendered Critiques of Consociationalism**

The academic literature on specifically gender and consociationalism is limited and the mainstream consociational literature tends to ignore the gendered aspects of consociational models. Considering the global use of the consociational model in ending ethno-national wars and resolving intrastate conflicts, this gender blindness in the consociational literature is surprising. The gender question in both the theory and practice of consociationalism has been mainly discussed in the context of United Nations Security council Resolution 1325 (and subsequent related resolutions) (Bell and O'Rourke , 2010; Burne and McCulloch, 2012; Chinkin, 2003), or by examining the role of women in activists' grassroots and community development organisations in divided societies (Deiana, 2016; Cockbun, 1998; Korac, 2006). There has also been a focus on the difficulties of promoting gender inclusion when ethno-national identities are privileged as they

are in consociational settings (Kennedy, Pierson and Thomson, 2016; Murtagh, 2008; Murtagh, 2017). This has resulted in the marginalisation of gender issues in consociational societies where ethno-nationalism creates divisions that lead to a lack of attention to gender issues in policy development processes (Kennedy, Pierson and Thomson, 2016; Murtagh, 2008).

Due to the focus on ethno-national identities, consociationalism did not do well in promoting women's political representation in post-conflict setting as it excluded other identity markers such as gender (Deiana, 2016 ; Kennedy, Pierson and Thomson, 2016; Nagle, 2016). The consociational model has been criticized from a non-gender perspective for freezing the ethnic cleavages in post-conflict societies (Horowitz, 2002; Jarstad, 2009; Rothchild and Roeder, 2005). This aspect of the model may have implications for gender inequalities, as it may be that it also encourages the freezing of gender inequalities as particular sets of gender relations may be considered to reflect ethnic identities and therefore be resistant to change. A conservative view of women as an embodiment of traditional ethno-nationalist values, valorising women's traditional roles as mothers and wives), are frequently part of the propaganda battle between ethnic groups and this embeds negative views of women into political discourse (Ashe, 2019; Byrne and McCulloch, 2012). The salience of ethno-nationalist identities in divided societies governed by consociational institutions is therefore often a barrier to women as a group as it can be difficult for women to voice their concerns in the political arena as this is seen to be undermining the 'ethnic group and its quest for political power and representation' (Byrne and McCulloch, 2012: 569). When there is a hostile competition between ethno-national groups, it is usual that interaction between political parties in the electoral arena is 'characterised by highly emotional propaganda battles' that includes an appeal to traditional values (Luther, 1999: 14), and most voters vote according to their ethno-national connection weakening the potential for progressive gender reform (Mitchell, 1999; Jarrett, 2016).

As consociational models begin with political parties based on ethnic divisions they can in this way mitigate against the progressive development of women's rights. The fact that consociation does not require every community in a society to be represented in the government and uses the term 'significant communities' to describe included groups (McGarry, O'Leary and Simeon, 2008: 58), implies that other, 'insignificant' groups, such as women, are deliberately not included or

made invisible in the model. However, Byrne and McCulloch (2012: 566) argue that, in principle, there is no inherent tension between liberal consociation and the inclusion of women in post-settlement institutions, but in spite of this in most post-conflict divided societies the capacity of consociational systems to foster the political representation of women is limited (Byrne and McCulloch 2012: 576). Bell (2015: 23) analysed 41 consociational peace agreements<sup>2</sup>, signed between 1990 and 2015, and did not find evidence that they had a negative impact on women and their political representation, as in these cases the consociational peace agreements had the provision for the political representation of women in a shape of gender quotas (Bell 2015; Murtagh, 2017). But Byrne and McCulloch (2012) argue that in these societies, gender quotas have failed to translate into the real improvements for women as a group. In some cases of deeply divided societies quotas might even weaken the feminist agenda and the capacity of women's activist groups to exert an influence as the focus moves to women as political party members and political representatives in parliament (Helms, 2007).

In an analysis of the seminal consociational text *Explaining Northern Ireland: Broken Images* (McGarry and O'Leary, 1995), it was observed that 'gender and feminism materialises as largely insignificant in the text' reinforcing 'perceptions about gender irrelevance and feminism's contemporary demise and even ultimate futility' (Zalewski, 2005: 204). While some supporters of consociationalism have recognised gender-blindness of this literature, but this acknowledgement does not mean that it is perceived as a fundamental problem (Kennedy, Pierson and Thomson, 2016). For example, in reply to their critics McGarry and O'Leary, (2009:82) argue:

*'As for suggestion that consociational politics promotes a superficial ethno-national politics at the expense of more popular questions of class or gender, we submit that there is no evidence, either from public opinion data or from elections, that latter questions are more popular. If they were, why do people not vote for parties that put such questions at the top of their agenda?'* (McGarry and O'Leary, 2009:82).

This reply fails to deal with the core criticisms made of the consociational model and its application. It is not that questions of gender are 'more popular' than those of ethno-national

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<sup>2</sup> <https://www.peaceagreements.org/>

politics but that they need to be addressed to ensure a democracy in which women can play a full role. It has been demonstrated internationally, in all regions, that it is only through the introduction of gender quotas that women have significantly improved the level of their political representation (Kennedy, Pierson and Thompson, 2016). It also suggests that different groups in society can exercise their right for equal political representation through elections, via ballot box, when this is clearly not the case (Kennedy, Pierson and Thompson, 2016).

The idea that consociationalism is bad for women, because it freezes ethnic divisions (McCulloch, 2012) has been critiqued by scholars (Bell, 2015; Murtagh, 2017) but this defence rests on of consociationalism pointing out the similarity of its aims to the aims of those promoting greater representation for women by drawing attention to the way in which consociationalism and gender equal representation, are both concerned with the democratic accommodation of difference (Byrne and McCulloch, 2012: 566; Rebouche´ and Fearon, 2005: 163; Murtagh, 2017: 12). Even though there is general agreement amongst feminist scholars that the consociationalism in general has not made provision for the political representation of women (Kennedy, Pierson and Thomson, 2016; Murtagh, 2008; Byrne and McCulloch, 2018), there are some who believe that liberal consociation is somewhat more conducive to addressing women issues in deeply divided societies as it least allows for the possibility that women interests can be included during the political process in which the agreement is negotiated (Wolff, 2010; McCulloch, 2014a ; Murtagh, 2017; Byrne and McCulloch, 2018). An example of this type of outcome in a liberal consociational peace agreement is the intervention of the Women’s Coalition in the Northern Ireland peace process negotiations (Byrne and McCulloch, 2018). This opportunity arose because as McWilliams states: ‘*A new electoral system designed to include the political representation of smaller, predominantly loyalist, parties provided the impetus for women to build on their pre-existing networks to form their own political party. The Women’s Coalition party, with its roots in civic society, succeeded in getting an electoral mandate for its two delegates, leading to their direct involvement in the multi-party peace negotiations*’ (McWilliams, 2016:2). The Women’s Coalition was formed as a political party in order to draw attention to the under-representation of women at the party political level in Northern Ireland and to make sure that gender equality would be a vital part of the peace negotiation process (McWilliams, 2016:2). This initial electoral success of the Women’s coalition prompted the main political parties to include more women amongst their candidates. This resulted

in increased women's representation in the Northern Ireland Assembly, so in the first four post-Good Friday Agreement elections, from 1998 to 2016, the percentage of female representatives rose from 7.7% in 1998 to 18.5% in 2016. The indirect impact on women's political representation of the Good Friday consociational agreement is not typical, however, and the increased number of women in the Assembly did not result in the introduction of women-friendly laws and policies, especially in relation to abortion rights.

### **Gender and the Dayton Peace Agreement**

The Dayton Peace Agreement (DPA) in particular has attracted criticism from a gender perspective. The DPA encompasses the main features of consociational power sharing (Byrne and McCulloch, 2012; Kennedy, Pierson and Thomson, 2016; Pierson and Thomson, 2018; Chandler, 2000; Lyon, 2015; Bell, 2015) and as a polity Bosnia Herzegovina contains some of the key 'favourable factors' defined by Lijphart (1968, 1997). These factors are considered to make the embedding of the agreement more likely and includes the segmental isolation of ethno-national communities, a multiple balance of power between ethnic communities, and a small size of the country's population (Guelke, 2012; Wolff; 2003). A key gender critique of the Dayton Peace Agreement relates to its corporate nature which entails group power sharing to be determined through ethnic quotas and reserved seats, (McCulloch, 2014; McGarry and O'Leary, 2007; Byrne and McCulloch, 2018). It is this aspect that has led to the specific criticism of the Dayton Peace Agreement that it sacrifices women's entitlements to equality by enshrining the political, economic and social interests of ethno-national groups (Byrne and McCulloch, 2018; Pierson and Thomson, 2018; Rebouche' and Fearon, 2005). According to Deiana (2016), the Dayton Peace Agreement did not engage with the possibility of introduction a positive gender dynamic of conflict transformation. Following this initial failure, the positive gender policy development became 'caught up in slow-decision making, political deadlock and unaccountability which, perversely, the consociational provisions have enabled' (Deiana, 2016: 104).

Women's exclusion from peace negotiations and from the political institutions in post-conflict consociational agreements in deeply divided societies, is perceived as potentially having a negative impact on the political representation of women (Byrne and McCulloch, 2018; Pierson and

Thomson, 2018; Deiana, 2018; Murtagh, 2008). However, is it possible that women's disadvantage in countries is just a subject to consociational peace agreements or is it due to the 'entrenched and unresolved traditions of ethnonational chauvinism' that had been a core factor in the conflict (Byrne and McCulloch, 2018: 7). In this respect, Korac (2006) and Deiana (2016: 110) emphasised that political ethno-national elites maintain a negative and hostile view of women's organisation in post-Dayton Bosnia and Herzegovina describing them as 'treacherous'. It has been demonstrated internationally, and across time, that women face a particularly negative environment in the period immediately following a conflict (Deiana, 2016).

The literature argues that spaces for the political participation of women sometimes open up during peace processes, for example as in the case of Northern Ireland, however these spaces can disappear in the post-conflict period as ethno-national party competition resume (Murtagh, 2008; Murtagh, 2017). This squeezing out of women is due to the discrepancies between the formal institutions of consociational peace settlements and the informal spaces that develop in the post-settlement period of politics (Murtagh, 2017: 13). In line with the characteristic of women's post-conflict experience generally, divided societies based on the pillars of consociationalism, also have demonstrated extremely traditional attitudes towards women resulting in a conservative backlash against women (Bjorkdahl, 2012; Ashe, 2019). This means that the only space for women's political engagement lies outside of the main arena of ethno-national divisions governed by men (Cockburn, 1998). This 'everyday life politics' that is engaged with women's interests, is unlikely to increase the political representation of women in mainstream politics. It remains outside the politics which governs the institutions of consociationalism, and therefore outside the elite institutions that are responsible for establishing and maintaining democracy (Kennedy, Pierson and Thomson, 2016; Cockburn, 1998).

The postwar moment, has been described as the moment of ending of war and beginning of reconstruction of all aspects of society, political, economic and legal, it has the potential to be a time in which a change in gender relations can occur as part of the process of the state's post-war reconstruction (Cockburn and Zarkov, 2002; Moran, 2010; Sicard, 2015). Failure to include a gender perspective at this time will damage the welfare of women in the newly constructed state, for example, violence against women will continue in the post-conflict period at comparatively

high levels unless gender relations are considered, and counter policies put in place (Cockburn and Zarkov, 2002). Dayton Peace Agreement, has been described as a ‘dialogue of men’, as there was a complete absence of women’s voices during the negotiations and the signing of the peace agreement and therefore there was a failure to understand the politics of masculinity and femininity in causing and sustaining violence (Cockburn and Zarkov, 2002: 11). The postwar moment offers women the possibility of new societal norms,, which should allow them a more engaged role in the public life ( Cockburn and Zarkov, 2002; Sicard, 2015). As the postwar moment ‘represents a brief window of time’ (Moran, 2010: 265)”, in which the restructuring of gender relations is still a possibility the failure to integrate issues of women’s rights into the reconstruction of the institutions of the state at this time will have long term repercussions (Kvinna till Kvinna, 2000; Cockburn and Zarkov, 2002; Rees, 2002; Moran, 2010; Bjorkdahl, 2012; Sicard, 2015).

In the postwar moment in Bosnia and Herzegovina, women are marginalised in a catastrophically male-dominated political and public sphere. Cockburn (2002:83) states:

*‘It is against great odds therefore that women are struggling to clarify the causes and dimensions of their disadvantage, to find each other, to imagine change and to assemble the resources to act for it. The fact that, here and there, they are succeeding in carving out little spaces in which to invent a localised woman-centered gender regime is a source of hope’.*

The literature suggests that international, national, and local organisations, working together, could generate a more woman-friendly and positive, and less exclusively masculine, postwar moment but it is argued that this opportunity was lost in the shaping of the Dayton Peace Agreement (Cockburn and Zarkov, 2002; Rees, 2002; Sicard, 2015).

The literature, also points to the socialist heritage of Bosnia and Herzegovina and the collapse of socialism as an additional factor to the problems face by all post-conflict societies and the cumbersome institutional structure imposed by it by the consociational agreement for the difficulties faced by women in the new state (Jalusic and Antic, 2001; Djuric 1995; Racciopi and O’Sullivan See, 1995; Morokvasic, 1997; Ishkanian, 2003; Devic, 1997; Deiana, 2018). Rees

(2002: 56) argues that, for women in post-Dayton Bosnia and Herzegovina, finding their place in the new system and fighting for their livelihoods was that much harder, since this was not only a postwar moment but also a transition from the socialist system of workers self-management, where the economy was heavily supported by the state, into a radically privatised market economy. The legal and social protection which women enjoyed in the Socialist Federative Republic of Yugoslavia (SFRY) was swept away and women were left to struggle for their livelihoods and their voices, while being marginalised in a highly masculinised and militarised society (LaFont, 2001).

### **Gender and Post-Conflict States**

In post-conflict states, the transition to the peaceful and democratic society does not typically include measures aimed at redefining gender relations (Bjorkdahl, 2012; Cockburn and Zarkov, 2002; Enloe, 2002; Cockburn, 2000; Handrahan, 2004; Deiana, 2018). While it is a common experience that during war-time, women frequently assume new leadership roles and also participate actively in military organisations it is also true that these war-time experiences are not used as a basis to reassess women's place in the peace-building process, women are encouraged to return to their pre-war gender-roles, primarily in the private sphere and to resume their domestic duties (Caprioli, 2000; Cockburn and Zarkov, 2002; Mazurana and Proctor, 2013; Bjorkdahl, 2012; Deiana, 2018). In spite of women's contribution to their country or ethnic groups war effort or the variety of roles they played during the conflict, in the post-conflict world women are defined as passive, in that they are seen primarily as victims, and refugees (Handrahan, 2004; Cockburn and Zarkov, 2002; Cockburn, 2000). Women's agency in this way is limited and 'subordinated to the collective' of their social group (Deiana, 2018: 6). Post-conflict governments expect that both women and men conform to specific gender roles that aim at re-establishing a pre-war ideal, meaning that as former combatants men are re-trained to adjust to the civilian life, while women as the victims of events are expected to return to their traditional roles of family carers and homemakers (Handrahan, 2004; Cockburn, 2000; Deiana, 2018). As part of this process during the state's institutional construction, gendered institutions can assume an 'anti-women' discourse,

limiting the choices for women regarding their engagement in the economic and political life of the post-conflict state (Pankhurst, 2008:3).

It is also argued that the marginalisation of women begins during peace processes and that any gains women achieved during the war, are often annulled by their absence from the negotiations to end the conflict (Meintjes 2001; Bjorkdahl, 2012). The dynamics of the pre-conflict ideological constitution of gender and sexuality also is a major reason why women are marginalised in processes of post-conflict transformation (Ashe, 2019 : 442). This is not just a product of the persistence of the male-dominated culture of the combatants leading to the retention of male privilege post-conflict (O'Rourke, 2017), but is also an outcome of influence of the male-dominated international community that plays a lead role in these processes and who define the societal patterns of acceptable behaviour both politically and economically, (Handrahan, 2004; Bjorkdahl, 2012; Deiana, 2018). Bjorkdahl (2012: 287) argues that the idea of 'peace' promoted by the international community rarely reflects local understandings of peace and that the voices of the citizens are rarely heard in the politics that shape the peace and post-peace accord environments creating a 'peace gap' or shortfall between internationally brokered peace accords and local understandings. The gendered hierarchies built into the liberal democratic peace and the absence of women in peace processes create an additional 'peace gap', one that is gendered. Internally, this absence of women leads to re-traditionalisation of society, and the side-lining of a gender perspective in post-conflict societies, the down-grading of the question of the representation of women in legislative bodies, resulting in the creation of political systems that are exclusive rather than inclusive (Bjorkdahl, 2012 : 290).

The international experience of women in post-conflict states is one of political exclusion and marginalisation's, framed as a return to traditional gender values. This is underpinned by the continuation of a high level of gender based violence into the post-conflict period (Moran, 2010), which together with women's comparative economic marginalisation places them in a vulnerable position (Moran, 2010). A peace process can only be of value for women if it can negate these expected outcomes (Bjorkdahl, 2012).

## **Position of women in the Post-Socialist Space**

In the case of Bosnia and Herzegovina there is also the complication that the experience of the post socialist states indicates that the common experience is of the new states is the return to patriarchal values and the increased disadvantage of women (Zarkov, 1995; Morokvasic, 1997; Deiana, 2018) Although the post-socialist countries are not a homogenous group, as they have very different ethno-national compositions, levels of economic development and socio-cultural heritage, there are striking similarities in the gendered aspect of their transition from socialist to the market economy (LaFont, 2001; Racioppi and O'Sullivan See, 1995; Deiana, 2018). While the newly established democracies in the former socialist states promised improvement for the population in general, the status of women declined as far as employment rights, social protection and the prospects for political engagement were concerned (LaFont, 2001; Usha, 2005; Ballington and Matland, 2004; Racioppi and O'Sullivan See, 1995; Prunskiene, 1995; Zarkov, 1995; Morokvasic, 1997). The process of democratisation 'presented a paradox for women in post-communist states' that is familiar to women in most democratic regimes that is 'the existence of opportunities for genuine political influence through democratic political institutions but the failure of women to attain significant representation' in these institutions (Moser, 2001: 355). Additionally, the process of transition in post-socialist societies created a backlash against women so not only was their access to social security and childcare facilities removed, but a highly glamorised version of femininity became culturally dominant (Gal and Kligman, 2000; Deiana, 2018).

During the era of state socialism, the gender equality issues that were considered to be of importance were mainly in relation to the position of women as workers. In these systems women were emancipated as working-mothers, rather than equal members of society ( Deiana, 2018). However, women did have access to rights that were still being fought for in Western democracies, including contraception, access to abortion and divorce (Morokvasic, 1997). They also had access to state provided housing, education and health care, as well as a high level of job security (1997). In terms of the labour market women played both diverse and prestigious roles and were not confined to a narrow range of occupations defined as female (1997). Even if the position of women in socialist countries was not as good as it was portrayed by the ruling communist parties,

unfortunately it has deteriorated significantly in the new democratic states (Morokvasic, 1997; LaFont, 2001; Racioppi and O'Sullivan See, 1995; Zarkov, 1995; Deiana, 2018).

According to Jalusic and Antic (2001) the introduction of democracies and the liberal-democratic political system together with a market economy were considered to be enough to secure the economic prosperity and political equality of individuals in most post-socialist countries. This did not turn out to be the case as the new democracies paid limited attention to the inclusion of diverse social groups, including women, in the new economic environment (Jalusic and Antic, 2001; Racciopi and O'Sullivan See, 1995; Morokvasic, 1997). The transition to a market economy caused a reduction in revenue and a drop in productivity, resulting in loss of employment leading to widespread impoverishment, a rapid deterioration of living standards and the loss of social safety nets (Ishkanian, 2003: 483). Racciopi and O'Sullivan See (1995: 826), describing the situation in post-Soviet Russia, argued that Russian government in the period of transition, focused their policies on promoting the traditional roles of women as mothers and housewives, rather than on women as workers and bread winners. As a result, large number of women who lost jobs at this time were 'well-educated and experienced engineers and technicians in their late thirties and forties' (1995:826). To complement this, in the new parliament, politicians reverted to a controlling pro-natal dogma, and it is only with in family-based policies that women were specifically mentioned (Racciopi and O'Sullivan See, 1995: 826). This was also true of the experience of women in Bosnia and Herzegovina, where government policy limited their role to the family and private sphere (Morokvasic, 1997:75).

The new post-socialist democracies also demonstrated that universal suffrage did not in itself lead to the formation of legislatures which are representative of the society. Many segments of the population including the rural, uneducated poor, and women were excluded and due to the removal of socialist statutory gender quotas in particular proportion of women in parliaments in these polities, was extremely low particularly in the early years of their existence (Moser, 2001; Ishkanian, 2003). Although under one-party communist rule, the numbers of women in governmental bodies were higher than in most Western democracies, this did not contribute to women's real political power at least at the highest levels of government (Moser, 2001:355). However, it is also true that in the 'new democracies' women were more excluded from politics

than in the socialist system (Morokvasic, 1997). In the majority of cases, the transition to democracy, meant diminishing the role of women as political actors and their side-lining from formal politics (Einhorn, 1993; Gal and Kligman, 2000; Galligan et al, 2007; Deiana, 2018). Women became the subject of nationalist ideology that incorporated them in this vision as ‘mothers who should ensure biological survival and moral progress of the nation’ (Miller and Wilford, 1998: 131). In this world view ‘women are put on pedestal of motherhood as saintly guardians of the home and family, but at the same time through this position they are tightly controlled and contained’ (Miller and Wilford, 1998: 131).

The early transition years of post-socialist states in primary focus was economic and political reforms while the legitimisation of gender issues remained problematic and even more aggravated by a negative image of the socialist past and coupled with strong antifeminist discourse (Jalusic and Antic, 2001). Situations were faced by women in most post-socialist states where, as argued by Jalusic and Antic (2001:11), ‘an over narrow definition of the political’ has blocked initiatives for a greater level of political participation on the part of women in post-socialist systems. The impact of transition from a socialist system on the status of women, has seen a negative shift in attitudes towards women in public life (Usha, 2005). This has included a negative assessment of the capacity of women to be political leaders and as a consequence of this political parties have not faced any pressure from public opinion to increase the number of women in politics (Moser and Scheiner, 2012: 210). As feminism as an ideology in these states was widely associated with all that the public disliked about socialism has been a barrier to both women's access to formal political power and their capacity to organise and campaign for change (LaFont 2001; Einhorn 1993; Funk and Mueller 1993). As a result, gender conservative ideologies had more public support and legitimacy than feminism (Matland and Montgomery, 2003: 37) meaning there was very little demand for measures to increase the participation of women in politics and requests for the introduction of mechanisms such as gender quotas that would ensure the equal participation of women. They were perceived as illegitimate and undesirable (Matland and Montgomery, 2003).

The majority of post-socialist states democratic elections used either a mixed or fully proportional electoral systems. Such systems are commonly associated with the successful implementation of gender quotas (Moser and Scheiner, 2012). However, these states also have tended to have highly

fragmented and unstable party systems that interact with the ‘impact of social norms with respect to the position of women in society’ to reduce the expected beneficial impact of using a PR system (Moser and Scheiner, 2012: 215). The weakness of the party systems was a barrier to improving the political representation of women as political parties act as ‘gate keepers’ that can facilitate or block women’s access to political positions (Matland and Montgomery, 2003: 40). The fragmentation of the party system resulting in a large number of parties often with a short life span is a barrier for women as it means each party is fielding a relatively small number of candidates making it harder for women to be selected and placed in a high position in a list system to make them electable (Moser, 2001: 345). This also means that parties are institutionally weak and in the case of the post-socialist states this weakness is compounded by the dominance of parties that are personality based organisations at the centre of which is a vacuum ‘where the elites, patronage and clientelism dominate candidate recruitment’ which as a result is ‘dominated by party or faction leaders, reinforced by patriarchy, private ties and loyalty’, all factors that present a major barrier to women (Ballington and Matland, 2004). In the period that has elapsed since the post-socialist states were established for a variety of reasons, including external pressure, many of these states over time adopted gender quota system that has seen a significant rise in the percentage of women parliamentarians. Some of the post-socialist countries that have successfully adopted gender quotas are North Macedonia with 40% of women in the national parliament, Kosovo 33%, Montenegro 30% and Moldova 25%.

Women in most post-socialist societies experience the transition from socialism to democracy in a negative way. They suffered changes in all spheres of life. The transition process created a backlash against women in relation to the division of gender roles in society, which resulted in domestication and ‘relegation’ to the private sphere. Most women faced economic hardships due to the loss of employment in the transition to the newly formed market economy, and their political engagement suffered due to the fragmentation of political systems. However, some argue that even though women became depoliticised, generally left out of the decision-making bodies, political parties, and the official public domain, the situation improved prospects for women’s agency for change (Cockburn and Zarkov, 2001; Racciopi and O’Sullivan See, 1995).

## **Gendering political institutions in reconstructed states – gendering consociationalism**

For those who believe that consociational agreements can include gender equality the use of political gender quotas are considered to be the most appropriate tool to address the inclusion of women in the political sphere of divided societies (Pierson and Thomson, 2018; McCrudden and O’Leary, 2013). In peace settlements where there are no specific calls to include women in post-conflict institutions, usually by the use of gender legislative quotas, the political representation of women is comparatively low (Bell, 2015). When the Dayton Peace Agreement that ended the war in Bosnia and Herzegovina was negotiated in 1995 the implementation of gender quotas had not yet become an international norm. The Beijing Platform for Action which advocated the use of gender quotas and from which the global spread of quotas is dated was produced in 1995, almost at the same time while the Dayton Peace Agreement was negotiated. Later consociational peace agreements did develop gender quotas to promote women’s political representation. Two from the Balkans region are the Rambouillet Agreement in Kosovo in 1999 and the Ohrid Agreement which brought peace to North Macedonia in 2001.

In Kosovo the consociational peace agreement introduced legislated gender quotas of 30 % both at the national and local levels in 2000, almost immediately after the conflict of 1998-1999 had ended. The gender quotas were introduced for political party candidate lists as well as for seats in parliament, which essentially meant a reserved seats quota system. The reserved seats quota system adopted used the ‘best loser’ system, where male candidates were replaced by women candidates who received the most votes without being elected (Rashkova and Zankina, 2017: 381). In 2004, Kosovo adopted its Law on Gender Equality, which stipulated 40% gender quotas, with the intention to establish equal participation both of women and men. In 2020, there were 31.7% of Women in Kosovo’s Parliament and 33.3% (5 out of 15) Ministers in Kosovo’s Government are women (World bank, 2020).

North Macedonia is deeply divided by ‘religious, ethnic and linguistic’ differences between the Macedonians majority and Albanian minority (Orlović, 2015:36). In this case the initial inclusion of the idea of gender quotas facilitated the progressive development of the detail of the quotas. The initial introduction of legislated candidate quotas in North Macedonia was followed by the

introduction of the Electoral Code in 2006, which instituted ranking rules for candidates' lists. This meant that among every three candidates on the list, at least one should come from the less represented gender. According to Nacevska and Lokar (2017: 399), the introduction of gender quotas in North Macedonia, had a positive impact on the representation of Albanian women from the country's minority community. In North Macedonia the organised women's movement fought to ensure 'the rights of women candidates from the list of ethnic minority parties' so that in addition to the measure to ensure cross ethnic representation 'the lists of the parties of ethnic minorities, based on the principle of ethnicity' had 'to apply legal ranking rules the same way as any other party' (Nacevska and Lokar, 2017: 399). The position of women in politics was further improved in 2015, through an amendment to the Electoral Code which stipulated an increase of the percentage of the less represented gender on candidate lists, to 40%. In 2020, there were 38.3% of women in the Assembly of the Republic of North Macedonia.

The number of women represented in the national parliaments in both Kosovo and North Macedonia are higher than Bosnia and Herzegovina, which is an indication of benefits of the early introduction of gender quotas. While this demonstrates that the number of women in parliament and local government can be increased by making gender quotas part of the peace agreement it cannot be assumed that this fact inevitably leads to an improvement in the social and economic position of women in society more generally (Aganovic, Miftari and Velickovic, 2015). The Dayton Peace Agreement has been the subject of particular criticism from a gender perspective as it is seen to embody those aspects of consociational agreements that have a negative impact on the status and welfare of women (Aganovic, Miftari and Velickovic, 2015).

The feminist literature concerning the political representation of women argues that political institutions, including political parties, and their internal structures and processes, are gendered (Lovenduski 1993; Mackay, 2014; Childs and Murray, 2014; Mackay, Armitage and Malley, 2014). According to this body of literature, both feminist scholars and gender practitioners had to contend with 'powerful and deeply embedded rules and relations, which may blunt the reformist potential of new institutions and their designers' (Mackay, 2014: 551). According to Lovenduski (2005: 48):

*'The relative exclusion of women historically has made political parties 'institutionally sexist' organisations that host male-centred practices where women are expected to conform to the 'rules of the game''.*

Feminist scholars concerned with issues of the political representation of women emphasised the importance of the role that political parties play in increasing the number of women in public life in democratic societies (Lovenduski 1993; Childs and Murray, 2014; Mackay, Armitage and Malley, 2014). In the seminal contribution to the literature on gender and political institutions, *Gender and Party Politics*, by Lovenduski and Norris, Lovenduski (Lovenduski and Norris, 1993: 3) challenged the view that liberal democracies provide women with 'means to claim equality of representation by utilising the opportunities offered the party systems'.

A gender impact assessment, Bosnia and Herzegovina indicates that with all complexities of its consociational institutions, some progress has been made. A number of international commitments on gender equality have been adopted, including the UN (CEDAW) Convention on the Elimination of All Forms of Discrimination against Women (1980), later reinforced by the Beijing Declaration and Platform for Action (1995), committing participating states to take steps towards achieving gender equality. Also, Bosnia and Herzegovina has made significant efforts to harmonise its legislative framework with international standards and commitments and in this regard has adopted two pieces of key legislation: The Law on Gender Equality and the Law on Prohibition of Discrimination (UN Women, 2021: 11). However, although Bosnia and Herzegovina is implementing its third Gender Action Plan 2018-2022 as the country's 5-year strategy for gender mainstreaming (UNECE, 2010), its impact is limited by the legal context could still be interpreted as gender-blind, as the majority of laws including the country's Constitution which is an integral part of the Dayton Peace Agreement, do not include explicit provisions for gender equality. In addition to this, there are many opportunities for gender-based discrimination due to the lack of harmonisation of laws across the complex institutional divisions, their inconsistent implementation, and the lack of effective monitoring (UN Women, 2021). The most visible change has been the introduction of gender quotas in 1998, which resulted in the representation of women in legislative bodies, at least at the national level, becoming more in line with other consociational post-conflict societies in the region, such as North Macedonia and Kosovo.

## **Conclusion**

The experiences of women in post-conflict states that have been structured by consociational peace agreements are not uniform and analysing the impact of an individual consociational agreement is complicated by the historic context of the individual state (Byrne and McCulloch, 2012; Murtagh, 2017). With this in mind and informed by the consociational theoretical debates, this study explores the gendered impact of The Dayton Peace Agreement in Bosnia and Herzegovina. In doing this it will take into account the insights offered by the literature on the international experience of women in post-conflict states in general, and the experience of women in states who underwent a transition from a socialist system to a multiparty system. The aim of this study is also to contribute to an understanding of the gendered impact of the political structures created by the consociational peace agreements and to inform the future design of such agreements. The research will engage with the debate on consociationalism from a critical gender perspective, and will ask if consociationalism as a model for post conflict reconstruction inevitably contributes to women's disadvantage or if the differences in the structure of an agreement and the way in which it is implemented can make a difference.

As a contribution to these debates, the thesis asks has the Dayton Peace Agreement, and the way in which it has shaped the institutional structure of Bosnia and Herzegovina, created barriers for women in terms of their political engagement? It analyses the pattern of women's political representation in geographically and administratively autonomous regions in Bosnia and Herzegovina. It asks if the ethnic cleavages embedded in the consociational political system have negatively influenced the political representation of women? In order to separate out the impact of the consociational agreement from other political and societal factors it examines the impact of these other factors on the representation of women in the different levels of legislative bodies in Bosnia and Herzegovina. It also investigates the way in which elite actors view the impact of the Dayton Peace Agreement on the political representation of women and on women's status more generally. In doing this it addresses a gap in the literature examining the gendered nature of the

consociational state by looking at the different levels of the political/institutional system created by the Dayton Peace Agreement.

The following chapter discusses the ways in which this research will be operationalised and organised.

## **Chapter 2. Methodology**

### **Introduction**

The aim of this chapter is to outline both the methodology and methods used in collecting and analysing data used. The study looks into women's representation at different levels of legislative bodies in post-Dayton Bosnia and Herzegovina. The choice of a case study was made considering the prominence of the 1992-1995 wars and the consequent peace agreements signed as the first step in setting up the new political order and constitutional mechanisms in order to manage conflict between constitutionally defined groups or in the case of Bosnia and Herzegovina 'constituent peoples'.

The chapter describes the way in which the study uses descriptive statistics compiled from original data as well as secondary sources and for the purpose of triangulation, in-depth semi-structured interviews were conducted with six different categories of people: women politicians, men politicians, state representatives, political parties' representatives, civil society groups and representatives of the international community in Bosnia and Herzegovina. The use of a case study analysis is discussed and the selection of the case study chosen for this research is justified. The methodological data analysis and ethical issues are also addressed.

### **The Case Study**

My interest in this research stems primarily from my personal experience as a survivor of the war in Bosnia and Herzegovina, where I lived until late October 1993, when my family was expelled from the city of Mostar. This experience determined both my career path and academic development. For over twenty-five years, I have been working with different aspects of women's suffering in conflict settings. I started as a volunteer in a humanitarian organisation in a Mostar in 1992. During my master's studies, I looked at the experiences of women from Bosnia and Herzegovina and their integration into different European countries as refugees. However, the need

to explore what happened with women who stayed behind stayed with me, and this research has given me the opportunity to do this.

This research will employ an in-depth single-case study of Bosnia and Herzegovina. It is an analysis of the impact of the Dayton Peace Agreement, (one of the most celebrated consociational peace agreements) that established peace in Bosnia and Herzegovina on gender relations and the position of women in the post conflict state. In particular, its aim is to examine how the country's complex institutional structure has shaped the political representation of women in what is still a divided society. It follows Gerring (2004: 34) and uses the case study method to enable the researcher to explore in detail the informal reality which can only be perceived from the inside and it also uses in-depth interviews to analyse the perspective of those involved. Employing an in-depth synchronic and diachronic single case study of Bosnia and Herzegovina enables both hierarchical and temporal variations to be examined within one case. The choice of a case study was made, as Seawright and Gerring (2008) put it, considering pragmatic, non-methodological issues, such as the prominence of the Balkan war and the consequent Dayton Peace Agreement in the literature, as well as the methodological within-case features, such as the considerable variation of women's political representation at different levels of government in the country, over the period of eight post-Dayton elections.

In the state as a whole, there is not only a wide variation between different levels of government but also a wide variation between different geographic areas within the state given the complexity of the political structures.

The complexity of the institutional structure of Bosnia and Herzegovina is presented in Figure 2.1. The Dayton Peace Agreement divided Bosnia and Herzegovina into two Entities, the Federation of Bosnia and Herzegovina (FBiH) taking 51% of the territory and the Republika Srpska (RS) taking up the remaining 49 % of the country's territory (General Framework Agreement, 1995). The FBiH was further divided into ten Cantons, while RS, in its institutional structure, remained a much more centralised and ethnically homogenous Entity.

The study examines the impact of the complexity of the institutional structure of the Dayton Peace Agreement on the political representation of women in Bosnia and Herzegovina, with the focus on the Cantonal level of government. It compares the trajectory of women's representation both spatially and temporally, between different levels of government. It also examines the impact of ethnic cleavages and other factors such as political parties, urban-rural division as well as income per capita, and economic development on the political representation of women at the level of 10 Cantons of the Federation of Bosnia and Herzegovina.

Cantons are particularly interesting in the context of this research for two reasons. Firstly, they emphasise the asymmetric composition of the Entities of Bosnia and Herzegovina, considering that only the Federation of Bosnia and Herzegovina (FBiH) is further divided into Cantons, while Republika Srpska is not, since it is much more ethnically homogenous than the FBiH. Secondly, establishing Cantons like mini-states, the consociational peace settlements in Bosnia and Herzegovina have created an additional administrative and structural level that could potentially present a barrier to the political representation of women at this level of the legislature. The numbers of women elected to Cantonal Assemblies across eight general elections in post-Dayton Bosnia and Herzegovina oscillate significantly both between Cantons and between elections. For example, after the 2018 general elections, the representation of women in Cantonal Assemblies went from 46.7% in Canton 7 (Herzegovina-Neretva Canton), down to 12% in Canton 10 (Livno Canton). Compared with the first post-war elections, Canton 7 had 8% of women representatives in its assembly, while Canton 10 had no women elected at all.

The importance of this peace agreement and its longevity make it an interesting case study that can be analysed over time. The complexity of its institutional arrangement allows the impact on women's political representation to be analysed at a range of levels.

## **Research Question**

The purpose of the research is to investigate whether or not consociational agreements inevitably disadvantage women in post conflict state, as the literature that criticises consociationalism from

a gender perspective suggests. The aim of the research is to contribute to the wider discussion on consociationalism and its implementation in real world situations. Therefore, this thesis asks has the Dayton Peace Agreement, and the way in which it has shaped the institutional structure of Bosnia and Herzegovina, created barriers for women in terms of their political engagement?

To answer this question, it also asks the following questions:

What is the pattern of women's political representation in geographically and administratively autonomous regions in Bosnia and Herzegovina?

How has this pattern of representation been shaped by institutional structures and legislation?

What role have political parties played in facilitating or blocking women gaining political office?

How do ethnic cleavages embedded in the consociational political system influence the political representation of women?

At the Cantonal level of Bosnia and Herzegovina what is the impact of different political and societal factors, including ethnicity on the representation of women in these local legislative bodies?

How do elite actors view the impact of the Dayton Peace Agreement on the political representation of women in Bosnia and Herzegovina?

*Table 2.1 Sample of data collection methods used in order to address each of the main research questions*

<b>Research Question</b>	<b>Data Sources</b>
What is the pattern of women's political representation in geographically and administratively autonomous regions in Bosnia and Herzegovina?	<ul style="list-style-type: none"> <li>• Election statistics</li> <li>• Entities Government Websites</li> <li>• Entities Statistic Agencies</li> <li>• OSCE reports</li> <li>• Other NGO's concerned with the questions of Women's Political Representation in Bosnia and Herzegovina</li> <li>• Official records of representation patterns at all levels of government</li> </ul>
How do ethnic cleavages embedded in the consociational political system influence the political representation of women?	<ul style="list-style-type: none"> <li>• Documents on the issues of interest for female politicians</li> <li>• Media interviews and other official documents</li> <li>• Legal documents</li> <li>• Election law</li> <li>• Official Statements by the OSCE</li> <li>• Original statistical data collected by the author</li> <li>• Dayton Peace Agreement</li> </ul>
What is the impact of different political and societal factors on the representation of women legislative bodies in Bosnia and Herzegovina?	<ul style="list-style-type: none"> <li>• Political Parties manifestos to look how gender and ethnicity concepts are reflected in the official documents at the party level</li> <li>• Documents analysis regarding economic reports and National development indices</li> <li>• Official Statistics on Women's Political Representation</li> <li>• Original statistical data collected by the author</li> </ul>
How do elite actors view the impact of the Dayton Peace Agreement on the political representation of women in Bosnia and Herzegovina?	<ul style="list-style-type: none"> <li>• Interviews with the six categories of elite actors</li> </ul>

## **Data Collection Methods**

For the purpose of triangulation, this study uses various methods of data collection: descriptive statistics, document analysis, and in-depth semi-structured interviews. By combining these data collection methods, the researcher has attempted to address each of the research questions, and also to triangulate by cross-checking data and findings derived from various sources (Deacon et al., 1998). Using several data collection methods helps avoid the problem presented by the use of a single source (McEvoy, 2006). Interviews as a data collection method are used as a complement to other data collection methods, such as using published materials, in order to build up a complete picture as possible.

The research for this study applied all three ‘overriding principles’ as suggested by Yin (2003). This study builds a database of women’s political representation during eight post-Dayton elections both at the state and sub-state levels of the legislature, by using descriptive statistics data collection, for which both desk-based and field-based archival research was the source of data collection. Interviews with women and men engaged in politics who are or have been involved at the various levels of government in the post-settlement period in Bosnia and Herzegovina, as well as members of the Non-Governmental Organisations’ (NGO) sector and Civil Society groups concerned with issues of women political representation are used as a complementary method to the use of descriptive statistics and to the within-case comparative analysis method used in the research project as a whole. Interviews particularly with women politicians, the content of which spanned the period from the peace process to the present, contribute to the understanding of key differences in the way in which women experience political institutions established under the Dayton Peace Agreement. The study also employed interviews with political parties’ representatives, representatives of the state institutions of Bosnia and Herzegovina, and members of the large International Community present in the country. It contributes to a gender impact assessment of the institutions imposed on Bosnia and Herzegovina especially through its focus on the local level which has not been examined by the international community, unlike the Entity and State level institutions.

### *Descriptive statistics*

Descriptive statistics on the representation of women in legislative and executive bodies in Bosnia and Herzegovina were collected and analysed in this study. This resulted in the construction of a set of descriptive statistics that are original to the thesis. The data collected, was drawn from the archival election statistics published by the Central Election Committee of Bosnia and Herzegovina after each of the eight post-Dayton general elections. The data on women candidates were collected by analysing candidate lists and counting women candidates contesting each of the eight post-Dayton general elections (1996 – 2018), as well as noting down the numbers of women elected to the national and sub-national legislative bodies in post-war Bosnia and Herzegovina as this had not be previously collated. This includes both women elected to legislative bodies as well as women delegated to the House of Peoples at the state and Entity level. In analysing this data, statistical measures of central tendency were used: mean, which represents the average scores of numerical data, and median presenting the middle score of a rank distribution (Fisher and Marshall, 2008). The data depicting the number of parties contesting each post-war general election, were drawn from the archival documents published by the state's Central Election Committee.

### *Triangulation*

In order to corroborate evidence through triangulation, document analysis was used in the study (Yin, 2003: 86; Bowen, 2009; O'Leary, 2014). The documents selected were determined by the research questions, see table Table 2.1. In order to assess the way in which consociational peace agreements impacted the political representation of women in post-conflict Bosnia and Herzegovina, the study analyses the Dayton Peace Agreement and the Washington Peace Agreement (which influenced the division of Bosnia and Herzegovina administrative and political structures). The study also looks at gendered outcomes of other consociational peace agreements in the region of Western Balkans, including, the Ohrid Peace Agreement in North Macedonia and the Rambouillet Accords in Kosovo.

Reports published by international organisations, which still have a very strong presence in Bosnia and Herzegovina were also used. These included the Office of High Representative, established as one of the conditions to the signing of the DPA: and organisations which are concerned with gender equality and role of women in country's political and public life - OSCE, UN Women,

UNDP, World Bank, and various international and national Non-Governmental Organisations (NGOs). The study also examined the different UN conventions based on protection of human rights and rights of women and girls, national legislation including Gender Equality Law and Election Law of Bosnia and Herzegovina as well as State's Gender Action Plans and CEDAW Reports.

In order to discuss political parties as possible barriers to the political representation of women, the party documents of major political parties; manifestos; party programs; and election campaign materials were examined in detail. Most of them were accessed through parties' official websites.

### *Semi-structured interviews*

The thesis used semi-structured interviews with key elite informants: female politicians, male politicians, representatives of political parties, state representatives, such as members of agencies and committees for gender equality (state, Entities, Cantons), members of NGO's and civil society groups and representatives of the international community in Bosnia and Herzegovina.

Semi-structured interviews, have become an important data collection method, especially in feminist research regarding political elites (Childs, 2004; Franceschet and Piscopo, 2008; Childs and Krook, 2012). In order to better understand the experience of women active in the political life of Bosnia and Herzegovina, the interviews were conducted with both female and male politicians as well as the representatives of political parties, civil society groups, members of the statutory agencies, and the international community. In an attempt to provide a fresh insight into the existing literature on the political representation of women, talking to women and studying how women envisage and practice political representation is of vital importance (Childs, 2004). The choice of data collections methods was also determined by the need to collect narratives from the perspective of the women involved in political life in Bosnia and Herzegovina. The narratives provide an important insight into women politicians' lived experiences in a post-conflict and

divided society such as Bosnia and Herzegovina. This process also helps them reflect on how their position allows them to practice positive changes for women generally (Cortazzi, 1994; Deiana, 2018). According to the literature, narrative structures are not only result of individual perceptions. They also reflect the outlooks and values of the broader society. Consequently, they provide a rich foundation of information of how women make sense of their position in the society and how their agency interconnects with the broader outlook of their community (Cortazzi, 1994; Childs, 2004; Deiana, 2018).

Semi-structured in-depth interviews also contribute to the attainment of deeper knowledge about the research subject of this study. The literature argues that:

*'In-depth interviewing commonly seeks 'deep' information and knowledge – usually deeper information and knowledge than is sought in surveys, informal interviewing, or focus groups' (Johnson, 2001:104).*

For example, semi-structured in-depth interviewing has enabled this thesis to gain deeper knowledge on several issues, such as the gendered nature of recruitment process to political parties in post-Dayton Bosnia and Herzegovina, the way in which candidate lists are formed, and how the continuous focus on the 'protection of vital national interest', which is one of the major features of the Dayton Peace Agreement, in political and public life influences women's political representation in this polity.

#### *Designing and conducting interviews*

The field research for this study was conducted in Bosnia and Herzegovina. The largest part of the interviewing process happened in Sarajevo, Mostar Konjic and Siroki Brijeg in the Federation of Bosnia and Herzegovina, while in Republika Srpska, one interview was held in Banja Luka, one in Mrkonjic Grad and one in Trebinje.

The majority of interviews were conducted ‘face to face’ in Bosnian, Croatian and Serbian (B/H/S) languages,<sup>3</sup> by the author and were recorded by notetaking as interviewees were not comfortable with recording. Although the interviewees were informed in detail that anonymity is guaranteed and that interviews will not be used for anything else except for the purpose of this study, majority of them expressed the utmost suspicion in recording interviews. In order to protect their anonymity, all interviewees were given codes containing two letters and two numbers. Both methods of recording have disadvantages notetaking during interviews inevitably leads to loss of data, while recording interviews is limited as it difficult to obtain ‘off the record’ information (Harvey, 2011), especially when primary research is conducted in politically charged settings in a country such as Bosnia and Herzegovina. The risk of losing valuable information while notetaking during interviews in this study was alleviated by making sure that enough time was planned for each question, but also by giving a specific code to each question and sub-question and writing them down beside each handwritten paragraph. This has helped in speeding up the process of notetaking as well as connecting the answers to the relevant questions. Also, after the first couple of interviews, the notetaking became faster and easier. It is interesting to note that even though most of the interviewees did not consent to be recorded in order to protect their anonymity, they did not have any objections to their names being listed in the study. One possible explanation to this is that they did not want anyone to actually hear them talk about some contentious issues or subjects.

The ‘face to face’ interviews lasted between 35 and 50 minutes, depending on respondents’ time and obligations, and their willingness to talk and share their experiences. The amount of time for each interview was not predetermined, especially when interviewing parliamentarians, considering their busy schedule and their parliamentary sittings and engagements. Of the 25 interviews, 2 were conducted in the parliament building, 8 in cabinets and respondents’ offices, 10 were taken in cafes, hotel lobbies and restaurants, while 5 were conducted electronically, via email. Considering the time constraints and busy schedules of some interviewees, especially parliamentary representatives, as well as the physical distance (the researcher was based in Ireland), in some instances, it was not possible to conduct ‘face to face’ interviews. In these cases, electronic

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<sup>3</sup> The three languages have mutual intelligibility. However, Bosnian and Croatian use Latinic, while Serbian uses Cyrillic script.

interviewing in the form of electronic mail was used. Fontana and Frey (1994:721) mention some pros and cons of electronic interviewing:

*'It is now possible to engage in 'virtual interviewing' where Internet connections are used synchronously or asynchronously to obtain information. The advantages include low cost ( no telephone or interviewer charges) and speed of return. Of course 'face to face' interaction is eliminated, as is the possibility of both interviewer and the respondent reading nonverbal behaviour or of cueing from gender, race, age, class, or other personal characteristics'.*

In the case of this thesis, an electronic interviewing method was used in 22.7% of interviews, and it provided the researcher with detailed answers which were very useful for data analysis.

In order to gain access to potential interviewees, the author used networks of social and professional contacts in Bosnia and Herzegovina and the region, though in some instances the study employed a snowball sampling approach. Snowball sampling is one of the most commonly used approaches in qualitative research and it is especially useful when access to interviewees is challenging. Using this approach, interviewees were asked if they would recommend other persons from their group: women politicians, NGO representatives or party colleagues for an interview and with this, the sample grew through a method of gradual accumulation. As Goldstein (2002: 671) suggests '...if you have established a good rapport with a particular respondent, do not be shy about enlisting their help in getting in the door with others on your sample list'.

Building a good rapport and relationship was a very important factor during the interviewing process. There were no language or cultural barriers between the researcher and interviewees and that was quite useful. The fact that the author was a female doctoral researcher in a foreign university and a resident of a western European country helped in establishing a good rapport with women politicians in particular. Several of them referred to this fact by saying that they feel comfortable talking to me since I live and work in Europe and would, therefore, have an understanding of their attitudes and desires to further women's agenda through their political engagement. On the other hand, as a researcher, I have assured them that the interviews would be

confidential and anonymous unless they express a wish for their names to be mentioned in the process of dissemination of this research. The majority of respondents suggested contacting their colleagues by giving me their names and official contact information, while some went even further by contacting their colleagues themselves and afterwards providing me with their private contact details and permitting me to contact them.

The interviewees for this study are divided into six categories:

- (1) women politicians,
- (2) men politicians,
- (3) political parties' representatives,
- (4) representatives of the state institutions,
- (5) members of civil society groups and
- (6) representatives of the international community in Bosnia and Herzegovina.

Interview questions were constructed according to each category of interviewees, although some core questions were repeating through the interviews in each group. Below is a sample of interview questions aimed at women politicians:

1. What is your experience as a woman politician in post Dayton Bosnia and Herzegovina?
  - a. How would you compare your experience as a politician in pre-war Socialist Bosnia and Herzegovina?<sup>4</sup>
  - b. What do you know about women's political presentation in Socialist Yugoslavia and how would you compare it to present situation?
  
2. In your opinion, what are the barriers to the political representation of women in Bosnia and Herzegovina?

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<sup>4</sup> This question is for women who were politicians before the war.

- a. Have the high level of conflict and ‘frozen ethnic cleavages’, which are incorporated in today’s political system, impacted on women putting their names forward as candidates?
  - b. Do you believe that political ‘life’ is adapted to women’s needs and responsibilities in today’s society in Bosnia and Herzegovina?
  - c. Do you believe that women have enough support and encouragement to get politically involved in their immediate environment as well as by the society in general?
  - d. Do you know of any state agencies that provide such a support or encouragement and have you had any support from them?
    - I. If yes, which ones?
3. Do you see yourself primarily as a woman politician or a member of your ethnic group?
  4. What are the priority issues you are advocating for?
  5. Are you aware of candidates’ gender quotas?
    - a. In what way are quotas efficient, in your opinion?
    - b. If they do not work, are there any other way of increasing the number of women political representatives?
  6. Do you think political parties in Bosnia and Herzegovina encourage female candidacy?
  7. How did your male colleagues support you during the campaign and once you got your seat?

Interview questions for five other categories of interviewees were derived from the sample above, albeit with some changes according to the characteristic position of each category with relation to women political representation in Bosnia and Herzegovina. This variation in questions is shown below, in the outline of questions aimed specifically at representatives of the state, for example:

1. How do ethnic cleavages embedded in consociational political system influence the political representation of women, in your opinion?
2. In your opinion, did the absence of women during negotiations influence the ‘gender blindness’ of political institutions created by the Dayton Peace Agreement?
3. What is your vision of integrating the gender aspect in peace negotiations and peace agreements?
4. What do you think could be done in Bosna and Herzegovina now in order to improve gender equality and how do you envisage bridging the difference between gender equality legal requirements and its implementation in practice?

#### *Difficulties with interviews and ethical issues*

Preparing for fieldwork, I discovered that accessing political elites, especially men, parties’ representatives and state representatives was quite challenging at times. Accessing women politicians at higher levels of governance proved to be easier than accessing women at lower levels. It was apparent that women parliamentarians at State and Federal levels had more confidence and willingness to cooperate and share their experiences even if their opinion did not comply directly with their party’s politics. Also, women politicians who held higher positions in their parties’ governing bodies were more confident and willing to talk about their experiences, positive or negative, and to express their opinions and perceptions. Women representatives at lower levels of legislatures, especially at local levels, were not as ready to express their opinions openly even though they were assured that information given to the researcher is confidential. They mostly followed their party lines in giving responses to the interviewer.

While conducting interviews in Bosnia and Herzegovina, as indicated earlier, a snowball sampling approach was used. I have a wide network of people in different positions in the country and most

of them were willing to support my research efforts. In some cases, however, no effort helped me to gain access to certain categories of potential interviewees. For instance, every attempt to access politicians from Republika Srpska, especially parties with the Serb prefix, meaning Serb nationalist parties, failed. I managed to interview two female politicians from Republika Srpska, one Bosniak from the SDA party and one Serb from the SDP party. I made numerous attempts, by trying to contact them directly or through my networks, but without a positive outcome.

Accessing statutory agencies at different levels for interviewing also proved to be somewhat difficult. Even though Bosnia and Herzegovina has one of the most developed gender mechanisms in the Region, meaning that there are gender institutions and gender focal points at all levels of government, they are still, like other administrative and political systems in the country, quite fragmented. The institution responsible for gender equality at the state level is Agency for Gender Equality, while the Gender Centre of Federation of Bosnia and Herzegovina and Gender Centre of Republika Srpska are responsible for engagement and promotion of gender equality issues at the Entities' level. While the author managed to obtain two interviews from the state level gender equality institution, the lower levels of the country's gender equality mechanism were quite unresponsive. This is similar to the situation with a representative in legislative bodies where it was easier to interview politicians at the higher levels, while representatives at the lower levels of government did not want to be interviewed or showed no interest at all.

Members of other state-level institutions such as the Central Election Commission were very responsive and forthcoming. They also put me in touch with some of their acquaintances whom I managed to interview subsequently. The members of the NGO sector and Civil Society groups were, as expected, extremely willing to take part in my research and offered their time and help. I had some difficulties to get in touch with the members of the international community, but after several attempts, I was able to interview representatives from the EU Delegation BiH and the OSCE BiH.

*Table 2.2. Categories of political/ state/ civil society actors I interviewed, as well as their (where applicable) party membership and nationality*

	Female Politicians	Male Politicians	State Agencies	Party Representatives	NGOs	International Organisations
Female	12		3		2	3
Male		2	2	1		
Bosniaks	12	1			2	1
Serbs	1		1	1		1
Croats	1	1				
Others	1		1			1
Multi-ethnic Parties	9	2		1		
Nationalist parties	3					

Most interviews were conducted in public spaces, either in parliamentary or government offices or in cafes and hotel lobbies. No interviewee was offered remuneration for their participation in the interviewing process during this research. Although this research did not involve interviewing vulnerable individuals or groups, or people/groups with intellectual disabilities, in order to avoid any ethical issues or problems, the research was conducted following the EU ethical norms and in compliance with the EU data protection policy. The interviewing process was conducted in accordance with ethical guidelines of the humanities and social science research funded by the EU which states that respect for persons should be held in the highest regard and that no harm must come to the interviewees during the research process or as a result of the research findings. After the interviewing process was completed, the data collected was securely deposited and the interviewees were given code names in order to protect their privacy, in accordance with the EU data protection laws and regulations. The findings of the research will be made available to all participants through the dissemination processes chosen for this research.

## Data Analysis

Following the collection of the quantitative data the descriptive statistics are analysed by using the distribution and the central tendency. This means that the analysis was based on the frequency of different responses (distribution) and the average for each response (central tendency). The descriptive statistics data are then presented numerically in tables and graphically in histograms.

The semi-structured, in-depth interviews allowed the interviewees a degree of freedom to communicate their narratives. As discussed earlier, the narratives are crucial to understanding the perceptions of the elite interlocutors about the impact that the Dayton Peace Agreement had on the women's representation in the political institutions it created. These types of interviews provided a deep understanding of the interviewees' perception of the political institutions and also their views of women's agency within the political context in Bosnia and Herzegovina. The interviews covered the mixture of topics that reflect the different professional positions and posts occupied by the persons interviewed for this study.

For the 25 interviews conducted, coding and analysis were carried out manually. The collected data was organised into broad themes, concepts, and categories related to specific segments of interviews and with reference to research questions. The themes differ slightly for different categories of interviewees. For women politicians, the largest group of interviewees, the themes are divided according to their perception of the society's attitudes towards women in general and towards women politicians; the society's perception of women's ability to defend the 'vital national interest'; the level of support they were receiving from their political parties – during the election campaign and otherwise; the impact of changes brought by the process of transition and consociationalism on women's role in political and public life, compared with the socialist Bosnia and Herzegovina. The data collected were further categorised and analysed in accordance to research questions and conclusions were drawn.

The analysis of the empirical data in the thesis engages with the feminist institutional approach that addresses the 'gendered character and gendering effects of institutions' (Kenny, 2014: 679) The feminist institutionalist approach provides useful insights into the gendered foundations of political institutions and 'the general and gendered mechanisms of continuity and change' (Kenny,

2014: 679). In order to address gendered institutional outcomes, this study remained sensitive to both spatial and temporal specificities, by observing how different outcomes emerged over time (Kenny, 2014). and what factors played a significant role in different geographical areas. The different geographical areas in this study concern the division of Bosnia and Herzegovina into two Entities, the Federation of BiH and Republika Srpska, and ten Cantons that make up the Federation of BiH. The feminist institutional approach informed the investigation into whether or not the formal rules that officially structure political institutions actually shape behaviour in practice, and also the impact of informal institutional rules on the political representation of women (Lovenduski and Norris, 1993; Kenny, 2014).

## **Conclusion**

The prominence of the Dayton Peace Agreement as a consociational contract made Bosnia and Herzegovina a unique case study in which to employ a three-level within-case comparative method. The complexity of the state's political institutions, the ongoing ethnic divisions, the consequences of conflict but also the presence of other political and societal factors all impacted on the political representation of women in Post-Dayton Bosnia and Herzegovina. The wide discrepancies between different levels of legislatures, where the national level performed better in the political representation of women, while lower levels of government oscillated in numbers of women represented in both different geographical areas and over time, allowed for a discussion of different factors that could influence the level of women's political representation. The use of document analyses combined with descriptive statistics and interviews in a complementary approach helps in better understanding of the trajectories of women's representation in political institutions in different tiers of government in post-Dayton Bosnia and Herzegovina. The in-depth semi-structured interviews enhanced the study with women's own perception of both opportunities and barriers put in the way of their political engagement in this polity. The following chapter analyses the context of the case study from a historic and gender perspective.

## **Chapter 3. Gender and Politics in SFRY and Post-Dayton Bosnia and Herzegovina**

### **Introduction**

This chapter discusses the historic context that has shaped the state of Bosnia and Herzegovina and women's place within that state. The roots of the Balkan wars that ended with the Dayton Agreement are in the history of violent ethnic conflict in the region and the experience and status of women have also been shaped by this long-term conflict. The state was formed by its experience of socialism under Tito, the dramatic impact of the collapse of communism, the disintegration of the state into a brutal war and the following post-war settlement and reconstruction. The chapter begins with a discussion of the regional conflict that was an integral part of World War II (WWII) and the creation of the Socialist Federative Republic of Yugoslavia (SFRY) as a result of a successful antifascist resistance movement. It describes the political and social position of women in the SFRY during Tito's lifetime. It discusses the rise of nationalism that followed his death that was exacerbated by the collapse of the socialist state. It then describes the impact of the war that followed this collapse the position of women in the post-war state

### **The making of the Socialist Federative Republic of Yugoslavia**

Socialist Federative Republic of Yugoslavia was formed out of the extreme inter-ethnic violence in the region during World War II (WWII), and it was this ethnic violence that was the basis of the Balkan wars in the early 1990s. Prior to WWII, the Kingdom of Yugoslavia (Map 3.1.), (which occupied the territory of what became SFRY), was going through internal political struggles between the two largest national groups, Serbs and Croats (Bennett, 1995: 40). In 1929, the Croat nationalist Ante Pavelic founded the Ustasha organisation, in Zagreb, with the main aim to create the independent state of Croatia.

Map 3.1. Map of the Kingdom of Yugoslavia



Following the pressure from the hard-line Croatian Nationalists group, in 1939 an agreement was signed (the Cvetkovic-Macek Agreement, *Sporazum*) setting up the autonomous province of Croatia (*Banovina*)<sup>5</sup>, within the Kingdom of Yugoslavia (Bennett, 1995:40). Two years later, in 1941, at the beginning of the WWII Nazi occupation of this region, Ustashas, as Croatian Nationalists, supported Nazi Germany and proclaimed the Independent State of Croatia (Nezavisna Drzava Hrvatska, NDH). The Independent State of Croatia occupied the whole territory of Bosnia and Herzegovina and some of today's Croatia. During this occupation, the Ustasha organisation was responsible for atrocities committed against other ethnic groups, particularly Serbs. They established a concentration camp Jasenovac, where it is estimated they killed 50,000 Serbs, 13,000 Jews, 12,000 Croat communists; 12,000 Muslims; and 10,000 gypsies

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<sup>5</sup> Ban: lord, ruler

(Bennett 1995: 43). The massacres against Serbs had begun in June 1941. The Serbs responded by establishing a guerrilla force, the Chetniks. The Chetniks were loyal to the Karadjordjevic Royal Family, which had ruled the Kingdom of Yugoslavia since 1918. The main ambition of Chetniks was to defend and maintain the Kingdom of Yugoslavia and to protect the national interest of Serbs. In order to achieve this and to retaliate against Ustasha atrocities, the Chetniks engaged in massacres of non-Serb civilians especially, Croats and Muslims.

Ustasha controlled the Independent State of Croatia, while other parts of the Kingdom of Yugoslavia were occupied by Germany, Italy, Hungary, Bulgaria, and Albania. The resistance to the Axis forces occupation was organised from the beginning of the conflict by the Partisans led by Josip Broz Tito. He was a communist and professional revolutionary, whose main support initially came from multi-ethnic Bosnia and Herzegovina, populated by Yugoslavs, Serbs, Croats, Muslims as the largest groups, and with smaller numbers of Jews, Albanians, and Hungarians. As the war progressed, Tito's Partisans actively opposed the ethnic killings and, on this basis, gain widespread support across the territory of the Kingdom of Yugoslavia (Bennett, 1995). As they liberated territory, the Partisans gained more support and grew in numbers and strength. In 1942 Tito and the Communist Party of Yugoslavia (CPY's) decided to reorganise their guerrilla-Partisan fighters into the National Liberation Army, Narodnooslobodilacka Vojska (NOV) (Batinic, 2015: 90). By 1943, NOV became one of the largest resistance armies in Europe that under Tito's communist leadership and that of the CPY, it simultaneously fought Nazism and conducted a Communist revolution, which was to bring not only victory against Nazism but also fundamental social changes (Bennett 1995; Pantelić 2013).

The Partisans made political gains as a result of their federalist approach to the national question and their supra-ethnic Yugoslav patriotism. Amidst extensive interethnic violence, they claimed to protect the victims on all sides, presenting themselves as liberators of all peoples, which appealed to 'previously marginalised and apathetic peasant masses, turning them into receptive audiences for the Partisans' message' Batinic (2015:99). Finally, the essential but often omitted factor that distinguished the Partisans from all their enemies, and added significantly to their victory, was their 'emphasis on women's mobilisation and mass participation in the struggle against Nazism' (Batinic, 2015: 100).

The Partisans also had, as part of their programme, the emancipation of women in the future communist state. This meant that women had more opportunity 'to play a prominent role in the shaping of the revolutionary authorities' and secure a place in the Partisan revolutionary army (Pantelić 2013:2). At the beginning of the war, the Communist Party of Yugoslavia had engaged in the rhetoric of class struggle, including the emancipation of women, but this did not resonate well with the population that was primarily rural and extremely poor (Batinic, 2015). Batinic (2015) explains that from 1942 the CPY shifted its emphasis from class to a patriotic struggle and portrayed an image of women members of the Partisans as patriotic heroines. As part of this discourse, women were considered by the party to have earned a place in public life through their sacrifices, their devotion, and most importantly, their valour on the battlefield' (Batinic, 2015: 69).

In this way, the Partisans were able to reconcile new ideas of equality and egalitarianism propagated by the Communist Party with the traditional ones based on patriotism and heroism, which were considered as the male domain. By the end of the war, about 100,000 women had entered into the ranks of the National Liberation Army (Pantelic, 2013: 41). On the 12th of June 1942, women set up a women's organisation within the Partisans, the Anti-Fascist Front of Women (AFFW). The aim of this organisation was primarily to build support for the Partisans and also to claim a place in its structure for women. Women members of the organisation engaged in diverse roles, while some women fought alongside men, other women were mobilised to fulfil traditional tasks including knitting jumpers and socks, caring for the wounded, gathering food and medicines, and mending uniforms (Panetic, 2013; Batinic, 2015). By the end of WWII, the Anti-Fascist Front of Women (AFFW) counted more than two million members throughout the new state of Yugoslavia (Jancar-Webster, 1990).

The majority of women in Yugoslavia, at the time, were illiterate and in some rural parts of the country, the percentage of illiteracy among women was as high as 75% (Zdralovic, 2014). The Anti-Fascist Front of Women made a massive effort in order to organise mass literacy courses all over the country, including the most remote and rural areas. Zdralovic (2014: 60), emphasising education as the main precondition for women's public and political activities, concluded that AFFW was the main influence on the emancipation of Yugoslav women, but not only women.

This organisation was the main driving force implementing the general policy of Partisans, which was to drastically reduce illiteracy in this rural country. The AFFW, had three key goals: fighting illiteracy among women, under the slogan ‘Death to illiteracy - education is the weapon against the enemy!’; educating women in political ideas of Partisans’ ideology to prepare them for the future political engagement; and writing for a women’s media aim at women in the general public (Sklevicky, 1996: 30; Zdralovic, 2014). Considering this, Zdralovic (2014:61) argued that both AFFW’s cultural and educational work had a significant impact on women’s inclusion in the public life, during the liberation struggle and in the new socialist state of the post-WWII period.

### **Position of Women in SFRY**

The fundamentals for the Yugoslav communist post-war state were laid at the II Session of the Anti-Fascist Council of the People’s Liberation of Yugoslavia (AVNOJ), held in the liberated territory of Jajce, Bosnia, and Herzegovina on the 25th November 1943. There, it was proclaimed that the new communist state of Yugoslavia<sup>6</sup> will become a Federation of six republics: Slovenia, Croatia, Bosnia and Herzegovina, Montenegro, Macedonia<sup>7</sup>, and Serbia together with two regions Vojvodina and Kosovo. Exactly two years after this event, at the III Session of AVNOJ held in Belgrade in 1945, the Kingdom was abolished, and the Democratic Federative Republic of Yugoslavia was proclaimed, spreading over the territory of the Kingdom of Yugoslavia, plus some parts of Slovenia and Croatia which were annexed by Italy in 1918, and that NOV had regained during WWII (Bennett, 1995). In January 1946, the first Constitution of the new communist state was created. This Constitution confirmed the structure of the state as the Federation of six republics (Pantelic 2013). (Map 3.2.)

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<sup>6</sup>Throughout the thesis the names of communist Yugoslavia, socialist Yugoslavia, the SFRY all refer to the same state, which was the Democratic Federative Republic of Yugoslavia and which in 1963 became the Socialist Federative Republic of Yugoslavia

<sup>7</sup> In February 2019, Macedonia became Republic of North Macedonia

Map 3.2. Map of Socialist Federative Republic of Yugoslavia



The division of Communist Yugoslavia into republics was put in place in order to prevent any territorial dispute this resulted in some peoples gaining both national recognition and a form of statehood. Macedonians for example gained both the recognition of their nationality and becoming a republic. Montenegro also becomes a republic, while Bosnia and Herzegovina kept its borders from the Ottoman period, including access to the Adriatic Sea. Kosovo remained as the Autonomous Region within Serbia, but its status was later elevated an Autonomous Province some twenty years later after the adoption of the 1974 Constitution of SFRY. Some borders, between Croatia and Vojvodina, for example, ‘meandered’ between villages depending on whether the village had a Serb or a Croat majority (Bennett, 1995:53). The first communist Constitution stated

that borders between republics could be altered after negotiations and agreements on all sides. It also guaranteed to each republic a right to secession and self-determination. However, the victory against fascism, the communist revolution, and setting up the state on socialist principles meant that at this time the people of the new multi-ethnic Yugoslavia choose to live within this framework (Batinic, 2015, Pantelic, 2013).

The egalitarian ideas propagated by the CPY during the war extended to the issues of women's emancipation. Considering the series of new legal and political rights they granted women during and in the aftermath of the war, the CPY kept their promises. Women's right to vote and to be elected to 'national liberation councils' during the war, was confirmed in the 1946 Constitution. Article 24 established the basic framework for legal equality between the sexes, stating that 'women have equal rights to men in all areas of state, economic, and socio-political life' (Batinic, 2015: 366). The same article assured equal pay for equal work, women became primary recipients of a comprehensive social welfare program highlighting the importance of protecting mothers and children. The new state established a maternity leave until the child's first birthday. In a considerable move from pre-war civil law, the 1946 Constitution instituted civil marriage, divorce was made open to both partners, and 'discrimination against children born out of wedlock was also abolished' (Batinic, 1995: 366).

In the years that followed, many statutory measures were created on this constitutional framework to improve the legal position of women in society. In 1955, for example, the new inheritance law was created, giving equal rights to inheritance irrespective of gender. A right to abortion, an issue that globally remains one of the central questions for women equality, created some difficulties for the CPY too. Considering that the 1946 Constitution and the majority of policies were taken from the Stalinist Soviet Union, where abortion was prohibited, the CPY was hesitant to allow abortion by choice, even though abortion was widely accepted and regularly executed by Partisan doctors during the war. Abortion law was liberalised following a break in the relationship between Tito and Stalin in 1948, with further liberations in the years that followed. In 1974, SFRY became the first country to proclaim the right to choose to give birth to a child to be a human right. Article 191 of the 1974 Federal Constitution declared, 'It is a human right to decide freely on childbirth. This right can be restricted only for the purpose of health protection' (Batinic, 2015: 367).

Although the CPY's commitment to the issue of gender equality was of a declarative nature, some extremely important changes occurred in the lives of women after the liberation struggle. Zdralovic (2014: 64) argued that in some republics of the SFRY, Bosnia and Herzegovina for example, 'mass scale inclusion of women in the Partisan movement, knocked down the patriarchal image of the passive women's role and launched their emancipation'. According to several authors, the active membership of women in the Anti-Fascist Front of Women (AFFW) played a significant role in the process of their emancipation (Sklevicky 2000; Pantelic, 2013). In the view of the leadership of SFRY women had achieved emancipation and that remaining barriers to equality would be removed as the state developed therefore the AFFW was no longer needed. As a result the AFFW was officially abolished at the Fourth Congress of the Anti-Fascists Front of Women of Yugoslavia held in Belgrade between 26th and 28th September 1953. The official women's organisation in the Socialist Federative Republic of Yugoslavia became the Conference for the Social Role of Women (CRSW) with only marginal powers and which was part of the Socialist Alliance of Working People of Yugoslavia. At this Congress of the AFFW, besides transforming the organisation, the most significant topics raised were the position of women in the villages and the political passivity of women. One high ranking male member of the League of Communists of Yugoslavia (LCY)<sup>8</sup>, Milovan Djilas, observed at the Fourth Congress of the AFFW that 'a genuine women's equality was far away, but he emphasised that with the strengthening of democracy and women's equality in Yugoslavia, any separate political activity of women became an obstacle to achieving women's equality and activeness' (Djokanovic, Draco and Delic, 2014:79). However, many women were dissatisfied with the abolishment of the AFFW. One of them, Neda Bozinovic, who was a member of NOV during the war, a member of the LCY who and later became a Judge at the Constitutional Court of Serbia expressed the anger of many members of the AFFW when she said, '*our men can go everywhere, they can go hunting or to bars, while this was the only place where we could go and they could not forbid us that. And now you abolished it!*' (Djokanovic, Draco and Delic, 2014:79). Not much attention was given to the question of women's equality in the SFRY from the abolition of the AFFW until the 1970s although in 1965 divorce was legalised, with both partners equally permitted to initiate it, and women on marriage were free to choose their own surname (Sofronic, 2011).

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<sup>8</sup> In 1952, the Communist Party of Yugoslavia, changed the name into the League of Communists of Yugoslavia

Although women did not organise autonomously until the later part of 1970s, the state underwent a process of policy reform prior to this in the form of a new constitution. The 1974 Constitution of the SFRY was an important one in the sense that it gave national recognition to Bosnian Muslims who became ‘constitutional peoples’ named simply Muslims and were to be equal to Serbs, Croats, Slovenes, Montenegrins, and Macedonians. This Constitution also gave much more autonomy to Kosovo, which was granted status of Autonomous Province just a couple of years before this Constitution was negotiated. It also made Tito a president for life, and it stipulated that after his death, in an attempt to prevent any constitutional peoples dominating the country, all executive powers were to be transferred to the Presidency of SFRY, which had a representative from each Republic and Autonomous Province. The new Constitution also included gender policy reforms as it acknowledged the need to implement improved maternity legislation, which provided for medical and dental care through public health service as well as 105 to 210-day parental leave for either a man or a woman. It also allowed for a reduced four-hour workday while maintaining full pay from the health insurance fund. Children had free education and free health care, both protective and remedial (Morgan, 1984: 731).

The 1970s saw the arrival of the second wave of feminism internationally. In SFRY, it was manifested in 1978, when one of the country’s most celebrated feminist conferences was organised by the Student Cultural Centre in Belgrade. (Sofronic, 2011). The conference emphasised gender-based division of labour under an arresting slogan: ‘Proletarians of all countries – who washes your socks?’ (Sofronic, 2011). The Conference addressed patriarchy, Marxism and feminism, the double burden imposed on women in the SFRY, the discrimination of women in the public sphere, and violence against women (Sofronic, 2011; Morgan 1984). Although the organisers of the Conference were not anti-socialist, the Conference pointed at the discrepancies between the socialist system’s declarative commitment to gender equality and what actually happened in practice. It also brought out the differences between feminists of the SFRY and Western feminists attending the Conference. There were several men present at the Conference, which was problematic for foreign feminists. The other cause for disagreement was that Western feminists thought feminists from the SFRY were not radical enough, while the feminists of the host country thought that Western feminists were uninformed about the situation in the SFRY (Sofronic, 2011).

The feminist movement in the SFRY was criticised by the League of Communists (LCY) and the Conference for the Social Role of Women (CSRW) for having an imported ideology that was pro-Western and in some cases anti-Marxist. Feminists, on the other hand, persisted in saying that CSRW was in a marginal position and that ‘the women's movement does not mean separation from socialist forces. On the contrary, it means a contribution to the socialist transformation of society from a specific women's perspective’ (Ivekovic and Drakulic-Ilic, 1984: 741).

According to Jancar-Webster (1999: 87) ‘the gains made by women’ in WWII, moved them from the ‘feudal’ condition of dependency to ‘modern’ legal and civil equality’. These gains were undermined with the rise of nationalism in the aftermath of Tito’s death in 1980.

### **Rise of Nationalisms and the Unmaking of SFRY**

When Josip Broz Tito died on the 4<sup>th</sup> of May 1980, throughout Yugoslavia, there was a genuine feeling of loss and great sadness (Bennett 1995). Subsequent events would demonstrate the personal role he played in keeping the state together. The death of Josip Broz Tito, which coincided with the economic crises in SFRY in the 1980s, provided a fertile ground for the rise of ethnonational ideology.

In the 1980s, there was a decline in the standard of living, shortages of consumer goods, and even a lack in the availability of essentials (Meier, 1995:12). Under SFRY’s economic policy, the tensions between demands for economic freedom for the states productive enterprises and monopoly of the party on all political and economic decisions were always resolved in the favour of the latter (Meier, 1995). This economic crisis and political failure to deal with this crisis would later help ambitious power-driven nationalist politicians, like Slobodan Milosevic, to gain power and influence the country’s rapid disintegration. There have been many discussions and debates about the reasons for the dissolution of the SFRY. Some argued that the country was unstable since its creation in 1918 (Bennett, 1995; Denitch, 1997), while some focused on the actual collapse of the country and the Balkan Wars that followed (Glenny, 1993; Meier, 1995; Cohen, 1993). The reasons for the disintegration of the SFRY, as argued by Jovic (2009: 3), are manifold including

economic, geopolitical, national structure, the role of international politics, and even the role of personalities. Most scholars, however, agree that the two main reasons were of an economic and constitutional nature (Meier, 1995; Bennet, 1995; Jovic, 2009; Batinic, 2015). They argue that it was precisely the 1974 Constitution that, giving much more statutory and economic power to the Republics, in order to ensure the country's existence after Tito's death, backfired and contributed to such a rapid disintegration of SFRY.. This, coupled with the deep economic crisis the SFRY was already in at the time of Tito's death, led to a deep political crisis (Meier, 1995).

Jovic (2009: 15) argues that the economic crisis argument, for example, could not on its own explain why in the late 1980s, the most developed and the least developed parts of the country, Slovenia and Kosovo 'saw no incentive to remain further in SFRY'. This could be linked again to the arguments of constitutional rules being so complicated and complex making it difficult for federal institutions to function. Often described of being unclear and impracticable and being based on compromises with various nationalist groups in republics and provinces, the 1974 Constitution was described as a 'blueprint for secession' (Jovic, 2009: 32). Kosovo was the least developed part of the country, and it was precisely there that SFRY began to fall apart. On the 11th March 1981, student demonstrations broke out at the University of Pristina. Students were protesting against poor living conditions on campus, high unemployment, and declining living standards. Police broke up demonstrations and began arresting ringleaders and other participants in the demonstrations. These actions had an opposite effect and even more, students came out on the streets demanding the release of their colleagues. In the Belgrade and Serbian media, the demonstrations were described as Albanian Nationalism and irredentism. Special units of Serbian police were called in to stop the spread of Albanian Nationalism and on the 6th April 1981, a State of Emergency was imposed throughout Kosovo. Although the majority of Serbs have never even been to Kosovo, their sentimental attachments and obsession with Kosovo never allowed them to accept the fact that Serbs had not formed the majority there since the end of the 17th Century. Yet, Serbian people always consider it as the 'kolijevka srpskog naroda' ('Cradle of the Serb Nation'). The consequences of the unrest and student demonstrations in Kosovo in 1981 were not immediately obvious. But the extent of police brutality was significant and as soon as Jugoslovenska Narodna Armija (JNA), the Yugoslav People's Army, supposedly in place to protect

all peoples of Yugoslavia, turned their guns against the Kosovo Albanians, that was the beginning of the end of SFRY (Bennett, 1995).

SFRY fell apart at the beginning of the 1990s under the pressure of secessionist and ethno-nationalist movements. Nationalists on each side demanded 'a return' from communism to the 'real nature' of their nation (Batinic, 2105:73). In order to build nationalist sentiment, leaders used folklore and epic rhetoric, but unlike the earlier Partisan they denied a 'shared South Slavic heritage that transcended divisions along ethnic lines' (Batinic, 2015:73). Meier (1995:1) noted:

*'An American professor, who had known Tito since WW II, had the opportunity to ask the Yugoslav president during his last trip to America (1978), what he, Tito considered to have been his greatest political failure. Tito answered that his greatest failure was to have failed to bring together the peoples of Yugoslavia in a real community'.*

When Tito was giving this statement, no one could predict less than a decade after his death, the SFRY would descend into another war. In 1987 when Milosevic decided to make his famous Kosovo speech, he was still a minor figure in the politics of SFRY. But the speech he delivered at Kosovo Polje was a serious challenge to SFRY as he was the first politician in the SFRY, to openly claims that 'Serbs had to fight for their rights as a nation and that he, as the head of Serbia's League of Communists could best prosecute that struggle on behalf of all Serbs' (Bennett, 1994: 94). From this point Milosevic began his campaign, in May of 1989, he became a President of the Serbian republic. Pursuing his nationalistic ideas, Milosevic's regime paid unemployed young men to go around the SFRY and demonstrate against the oppression of the Serbian people.

The Federal Government watching Milosevic dismantling the SFRY was powerless and when they threatened the imposition of a state of emergency the country was immediately faced with the risk of civil war as the result of a rally by three hundred and fifty thousand Serbs in Belgrade protesting against the interference of the Federal Government. The other Republics and Autonomous Provinces could not resist Milosevic and Serbia because Montenegro, Macedonia, and Kosovo were bankrupt, and Bosnia and Herzegovina was compromised by the collapse of its biggest food producer Agrocomerc. So, the only challenge to Milosevic could come from the wealthiest

republic in the SFRY, Slovenia, and it was this rift between Slovene and Serbian Communists that started the SFRY collapse and the slide into war.

Milosevic organised an economic boycott, of products from Slovenia and the 14th Congress of the LCY, in January 1990, was suspended in chaos. Between April and December of 1990, the first multi-party elections were held in all republics of SFRY, saw nationalist parties winning in Slovenia, Croatia, Bosnia and Herzegovina and Macedonia. The former communists, won only in Serbia and Montenegro, they were communists in name only, as their political platform was very much a nationalist one. On the 22<sup>nd</sup> of December, the Croatian parliament adopted a new constitution for the Republic, which endowed the Republic with complete sovereignty (Meier, 1995: 161). Following this, Slovenia held a plebiscite on the 23rd December 1990 overwhelming supported the proposition that the Republic of Slovenia should become a self-sufficient and independent state with 88% in favour and a turnout of 85. Six months later, on the 25<sup>th</sup> of June 1991, the Slovenian parliament adopted a 'declaration of independence'. The same day the Croatian parliament adopted its 'declaration concerning the establishment of a Sovereign and the Independent Republic of Croatia' (Meier, 1995:161). Two days later, on the 27<sup>th</sup> June 1991, the Serb dominated JNA attacked the Slovenian Territorial Defence Forces marking the beginning of the war.

Prior to the complete disintegration of the SFRY, the feminist organisations in the country or the first time since the late 1970s engaged in issues such as 'the legislation on rape, abortion and child subsidies which were of importance to women during the economic crisis in the 1980s' ( Zarkov, 2003: 2). The common ground in addressing the real-life issues brought the feminist from all parts of the SFRY, out onto the streets, as well as into the parliaments of both the Republics and the Federal Parliament of SFRY. Feminist activism of this type had not previously occurred in SFRY (Zarkov, 2003; Batinic, 2001; Deiana, 2018). At this point feminists saw the rise of nationalism as their 'common enemy', and were critical of nationalism in all the republics of SFRY (Benderly, 1997: 70; Zarkov, 2003). However, the popular rise of nationalism and the type of rhetoric it employed undermined women's efforts to maintain a united front, but the nationalist militarisation and resurgence of patriarchy propelled some feminists groups to take up the space of an anti-war movement (Deiana, 2018: 56). There were public protests of thousands of women, supported and

organised by feminists groups, at the beginning of the war in Slovenia in 1991, but inevitably this had no impact on the subsequent events (Zarkov, 2003: 3).

### **Bosnia and Herzegovina in the aftermath of the first multi-party elections**

In the first multi-party elections for the federal parliament in November 1990, the majority of the 130 seats were divided between three major parties: Party of Democratic Action (SDA - the Bosniak party) won 41 seats; Serb Democratic Party (SDS - the Serb party) won 34 seats; and Croatian Democratic Union (HDZ - the Croat party) won 20 seats. The former communists won 13 seats. The three ethnically based parties formed a coalition government, with a collective and rotational Presidency. A Muslim, Alija Izetbegovic, became President. Since all three national parties joined together in government, there was, it appeared, a chance for a peaceful solution in Bosnia and Herzegovina. The unravelling of this fragile political situation was primarily instigated by Serbia (Bennett, 1995). The 'Serbian Memorandum', drafted in 1986, by the Serbian Academy of Arts and Sciences, argued that the only solution to ensure the existence of Serbs was the 'territorial unity of the Serbian people', and declared that all Serbs should be unified in the single national state. Serb nationalism in the 1980s had turned against all communities that it believed would pose a threat to the creation of a Greater Serbia. The Muslim community in Bosnia and Herzegovina was especially targeted, as in Serb nationalists rhetoric, Muslims were traitors who accepted Islam when the Ottoman Turks occupied the region. By the late 1980s, anti-Muslim propaganda became the main political tool used by the Serbs to promote a nationalist agenda (Cigar, 1995). Serbian nationalist demonstrations organised by Milosevic during 1988 and 1989 included slogans such as: *'Oh Muslim you black crows, Tito is no longer here to protect you!'* and *'We love you Slobodan (Milosevic) because you hate Muslims!'* (Cigar, 1995:34).

Prior to the multiparty elections Milosevic's supporters in Bosnia and Herzegovina, had established two Serb enclaves (krajina) (Bennett, 1995). Milosevic propagated xenophobia among ordinary Serbs and by November 1991, Serbs has established six krajinas across the republic of Bosnia and Herzegovina, from this base they rejected the authority of the government in Sarajevo, and they set up a Serb National Council in Banja Luka. In SFRY there was an asymmetry of force as Serb

nationalists, build a strong military wing armed by Belgrade, the capital of Serbia and SFRY. Belgrade was also to be the capital of the new Greater Serbia, promised by Milosevic which was to unite all Serbs in one country. While at the same time Muslims and Croats in Bosnia and Herzegovina had no significant military defences as the Yugoslav People's Army (JNA) had disarmed the republic's territorial defence in November 1991 as they had done in Slovenia and Croatia six months earlier (Bennett, 1995; Kapic, 2000). Radovan Karadzic, the Serb leader in Bosnia and Herzegovina, had the support from both political leaders in Belgrade and the JNA. With the rise of nationalism, and considering that most members of the highest echelons of the JNA were actually Serbs, the JNA became a military arm of Serb nationalists throughout SFRY. From this position of strength, Karadzic threatened the government of Bosnia and Herzegovina against opting for independence, as the aims of the Serbs nationalist was the annexation of Bosnia and Herzegovina. Serb militarised nationalism aimed at the removal of Muslims from Bosnia and Herzegovina, Karadzic stated that the Muslim community '*would disappear from the face of the Earth*' and that this was '*the beginning of the end of their existence as a nation*' (Cigar, 1995:37).

Despite the build-up of Serbian nationalist military force, the Bosnian Herzegovinian President Alija Izetbegovic and his government refused to arm themselves and prepare for war. Instead, Bosnia and Herzegovina became the centre of SFRY's peace movement. Anti-war protests were organised in all larger cities throughout Bosnia and Herzegovina and an anti-war concert was organised in Sarajevo, the capital of Bosnia and Herzegovina, in the summer of 1991, attracting the biggest rock and pop stars from SFRY. On the 5<sup>th</sup> of April, some 100 000 people turned up in Sarajevo in the anti-war protest, but Serb snipers opened fire on the crowd killing six people and wounding many more.

Following this Bosnia and Herzegovina held a referendum on the 29<sup>th</sup> of February and 1<sup>st</sup> of March 1992, which was to make Bosnia and Herzegovina an independent state. Muslims and Croats were very much in favour of the independence referendum, while Serbs boycotted it. The turnout to the referendum was almost 64%, with 99% of the votes in favour of Bosnia and Herzegovina becoming an independent state. On the 27<sup>th</sup> of March 1992, in response to the referendum for independence, Serbs held a referendum in the six krajinas under their control and proclaimed a separate Serb Republic (Republika Srpska) within Bosnia and Herzegovina. Ten days later, war broke out, one

day before the European Commission recognised Bosnia and Herzegovina as an independent state. Later in April 1992, Bosnia and Herzegovina became a member of the United Nations and President Izetbegovic hopes that international recognition would stop Bosnia and Herzegovina from descending into the war proved to be unfounded (Rogel, 1998; Kapic, 2000).

### **War in Bosnia and Herzegovina and Violence Against Women**

The war in Bosnia and Herzegovina started on the 6<sup>th</sup> of April 1992 is often described as the bloodiest inter-ethnic violence since WWII, it left more than 100 000 dead, and created the largest exodus of civilians since WWII. This war became known globally for the longest siege of the capital city in the modern history of warfare. The siege of Sarajevo lasted 44 months, and 11 000 of its inhabitants perished during this time. At the start of the war in Bosnia and Herzegovina, the international community agreed on one thing. Nobody wanted to be militarily involved in this war. Instead, they tried to resolve this extremely dangerous and complicated situation through diplomatic actions, that ultimately, failed.

This war has been described as a post-modern war that was different from World War II in the sense that different strategies of war were employed, and different kinds of systematic war crimes were committed (Kaldor, 1999). Even before the war, women had felt the negative impact of the rise of ethnonationalism and war rhetoric. The images of Partisan fighters and working women that had been part of the rhetoric of SFRY were replaced with images of women as mothers or as weak, passive victims (Zdravovic, 2014: 84). This followed the pattern of ethnonational conflict, where women become marginalised under conditions of 'armed patriarchy' (McWilliams, 1995). During the period just before the war in Bosnia and Herzegovina, with the rise of ethnonationalism and war rhetoric, the role of women followed a retrograde path pushing women back to traditional social roles as the level of equality that were won by Partisan women was quickly disregarded and dissolved. The images of Partisan fighters and working women were replaced with images of women as mothers or as weak, passive victim (Zdravovic, 2014: 84). Houser (2014: 59) states *the rise of ethnic nationalism in the former Yugoslavia* 'grew *in parallel with misogyny since it was based on distinctly heroic and masculine mythology*'. Inevitably in the ethnonational conflict that

followed, nationalist identities become stronger and martial values are praised, with the result that women become marginalised by this 'armed patriarchy' (McWilliams, 1995).

Throughout history violence against women and sexual assault on women has been a common strategy of warfare. Women are targeted particularly because of their cultural position and importance in the family structure. Sometimes the conquest of the enemy's army is not as important as the destruction and deconstruction of their culture. Therefore, even in wars that were not wars of expulsion and ethnic cleansing, mass rapes occurred (Kaldor, 1999). In Bosnia and Herzegovina, rape was used as a central part of the policy of ethnic cleansing and to terrorise and intimidate people. The policy of ethnic cleansing was planned and executed systematically, and so were the mass rapes. For this purpose, 'rape camps' were set up, where women were held facing everyday humiliation, torture, and deliberate impregnation. The organised campaign of rape aimed to humiliate or terrorise an entire community and in this way assist the process of ethnic cleansing by forcing whole communities to flee. It also had the aim of colonising the enemy nation by impregnating women, as women were held in the camps until it was too late for an abortion and then released (Sofos, 1986). It has been reported that Serbian perpetrators of rape have been reported to have told their victims to '*go and deliver fighting Serbs*' (Sofos, 1996:86). In this case, 'fertilisation' of women through rape is considered as an act of conquering the land and rectifying history through women's bodies. It also represents the means of 'contaminating' the enemy nation both biologically and culturally as impregnation by rape can disrupt and destroy the fabric of the family (Sofos, 1996), as rapes demoralise and disempower not only a victim but also her family and community (Stiglmeier, 1992). The number of women raped in the 1992-1995 war in Bosnia and Herzegovina is disputed, but it is estimated that between 20 000 and 50 000 mainly Bosniak women were raped in this period (Skjelsbaek, 2006:398). These systematic rapes resulted in a negative long-term impact both on women themselves, their communities and this spilled out to adversely affect the division of gender roles in public life in post-Dayton Bosnia and Herzegovina (Skjelsbaek, 2006).

UN World Conference on Human Rights which took place in Vienna in 1993, held a forum where the war crimes committed in former Yugoslavia, especially the mass violence against women, were discussed. By signing the Vienna Declaration and Programme of Action, which was adopted

on the 25<sup>th</sup> June 1993, delegates from 171 countries attending the Conference, acknowledged that ‘the violation of human rights of women in situations of armed conflict is, in fact, the violation of fundamental principles of international human rights and humanitarian law’ (Aganovic and Delic, 2014: 115). Wartime rapes committed in Bosnia and Herzegovina and Rwanda in the 1990s have caused outrage, especially amongst feminists, and after the pressure exercised by the feminist movements in Southeast Europe, for the first time in history, rape was recognised as a war crime and a crime against humanity. The International Tribunal for Former Yugoslavia, set up in the Hague in 1993, has had the first trials ever for sexual violence committed during the war (Aganovic and Delic; 2014: 116).

### **The Cease Fire and The Dayton Peace Agreement**

After several failed attempts by the international community to draw a peace plan that would be acceptable all combatants, in April 1994, international group was formed, whose members were Germany, France, Russia, Britain, and the US. In June 1994, this Contact Group produced a new proposal for Bosnia and Herzegovina, according to which Serbs would be granted 49 percent of the territory and a Muslim-Croat federation, 51 percent. Serb rejected this plan since, at the time, they controlled over 72 percent of the country’s territory. However, under pressure from the Contact Group, led by Richard Holbrooke of America, they accepted it. After long negotiations, the Dayton Agreement was finally concluded on the 22nd of November 1995. This agreement also meant the final division of Bosnia and Herzegovina into two ethnic entities, Republika Srpska (the Serb entity) and the Federation of Muslims and Croats.

In spite of the international recognition of the way in which women had suffered during the war women’s voices were absent during the negotiations and the signing of the peace agreement making the Dayton Peace Agreement, was a ‘dialogue of men’, that failed to address the consequence for women of high levels of protracted gendered violence (Cockburn and Zarkov, 2002: 11). The Dayton Peace Agreement was by no means the only peace agreement based on the tenets of consociationalism that did not involve women in any aspects of its making. Meintjes

(2001) stated that this side-lining of women also happened in both the peace talks and post-war reconstruction of governments in the aftermath of African wars in the early 90s. One of the reasons for the absence of women was the absence of a strong international norm on the inclusion of women. The Fourth World Conference on Women held in Beijing 1995, and the resulting Beijing Declaration and Platform for Action took time to influence the views of powerful international actors. Also, considering the militarisation and re-patriarchalisation of society both in the period leading up to and during the conflict, women had already been side-lined and were largely absent from the leading political and military roles. Some have argued there was expertise among women members of the civil society groups that could have provided a meaningful contribution to the Dayton peace process, but there was not legitimate mechanism to include them as representative of women and there were no women in leadership positions in the ethnonationalist parties who were invited to take part in peace negotiations as they represented the warring factions (McLeod, 2019; Hunt, 2004).

The Dayton Peace Agreement also froze the ethnic divisions created during the war as they had been at the time of the ceasefire, this was formalised in the peace process and formed the base for the institutional structure of the new state. The political system that the Dayton Peace Agreement put in place is considered to be one of the most complex and complicated systems in the world. The inflexible corporate consociational model underpinning the negotiated peace between the ethnic factions, has resulted in unwieldy political and institutional structure described as an 'asymmetric confederation' or a 'segmented state' (Mujagic, 2019: 24). The Constitution of Bosnia and Herzegovina solidified the internationally recognised borders, of two 'Entities' within the one federal state, Federation of Bosnia and Herzegovina and Republika Srpska. These two entities have different internal structures, the ethnically mixed Federation of Bosnia and Herzegovina is decentralised consisting of 10 federal units (Cantons), while the ethnically uniform Republika Srpska is a centralised unitary autonomous republic (DPA, 1995). The term 'Entity' was coined to avoid terms, such as province, republic or region, which all presented political problems (Mujagic, 2019: 24).

## **Women in post Dayton Bosnia and Herzegovina**

In the aftermath of this agreement Women in Bosnia Herzegovina did not experience a positive postwar moment (Cockburn and Zarkov, 2002; Sicard, 2015). The beginning of the process of reconstruction of all aspects of society - political, economic, and legal – did not contain any recognition of the needs of women as a group or any positive policy to promote gender equality (Cockburn and Zarkov, 2002; Moran, 2010).

The position of women in the public sphere in Socialist federative Republic in Yugoslavia had deteriorated with the rise of nationalism even before the break-up of the country. Morokvasic (1997) explains this phenomenon as the road to masculinity that has the source in men's ability to provide, to be a confident breadwinner, creating a fertile ground for nationalist re-traditionalisers, advocating for the return to real manhood. And the most traditional venue, in which men can regain his masculinity, is going to war (Morokvasic, 1997). The consequences of this re-traditionalisation and 'domestication' of women continued to have a major impact in the reconstructed state. In addition to this the war had produced a form of 'victimised and ethnicised femininity', that was not conducive to promoting public roles for women or protecting their rights during the process of peacebuilding and reconstruction (Skjelsbaek, 2001). Even for those women who had played an active part in the conflict, unlike the way in which the role of women who took part in the Partisan movement during WWII was celebrated, women participants of the 1992-1995 war remained largely invisible (Aganovic and Delic, 2012: 112). Neither the actions of these women or the suffering of the majority of women translated into a positive response to their needs during the negotiation and implementation of the settlement.

For women in post-Dayton Bosnia and Herzegovina, finding their place in the new system and fighting for their livelihoods was made more difficult as it was not only a post-conflict society but also one that was in transition from the socialist system, where the economy was heavily supported by the state, into a radically privatised market economy (Rees, 2002: 56). The legal and social protection which women enjoyed in the Socialist Federative Republic of Yugoslavia (SFRY) had been swept away and women were left to struggle for their livelihoods and their voices were marginalised in a highly masculinised and militarised society,'(LaFont, 2001). The lack of a well-

developed open media and accessible courts in the new state also blocked women's voices from being heard (Cockburn, 2002: 82). The type of capitalist economy, put in place has been described 'cowboy capitalism' and under this aggressive system women economic position was severely eroded. The position of women in the post conflict state was a similar one in term of their absence from the political sphere and their political apathy to other post socialist transitional states (Rener and Ule, 1998; Jalusic, 1998). However, it has been argued that the economic and political outcomes of institutions put in place by the Dayton Peace Agreement tended to reinforce women's inequality, including in political representation (UNDP/UN Women, 2019).

Cockburn (2002: 82) argues that the public spheres in Bosnia and Herzegovina, did not develop diverse democratic practises the could facilitate women voices being heard, and women are still underrepresented in public sphere. According to the most recent reports published by the Agency for Statistics of Bosnia and Herzegovina in 2019, the number of the female student population is at 50.6% and women with higher education degrees outnumber men by almost 10%. Howevr these numbers did not translate in women's participation in the workforce. In Bosnia and Herzegovina, the workforce is only 25%. Women are also underrepresented in the country's political life. For many years, women's representation was law in this polity, but with the introduction of the party list gender quotas and the insistence of external actors, it has reached 26.2 %, which is 3.4 % lower than the European average (IPU Parline, 2021).

One of the consistent aspects of post Dayton Bosnia and Herzegovina is its poverty and lack of economic development which also has negative implications for women (UNDP/UN Women, 2019). As shown in Table 3.1., in 2019, Bosnia and Herzegovina was positioned at 75<sup>th</sup> place, in the UNDP HDI index. Its position had varied from 63<sup>rd</sup> place in 2005 (the first time that Bosnia and Herzegovina featured in HDI rankings), the 83<sup>rd</sup> in 2015. When compared to other countries in the region, including other countries that emerged from SFRY, such as Croatia, Serbia and Montenegro, are doing much better, while the only country performing worse than Bosnia and Herzegovina, is North Macedonia that has also suffered from and ethnic conflict and has been structured by a consociational agreement.

*Table 3.1. UNDP Human Development Index Ranking*

	<b>2005</b>	<b>2010</b>	<b>2015</b>	<b>2019</b>
<b>Bosnia and Herzegovina</b>	68	68	85	75
<b>Croatia</b>	45	51	47	46
<b>North Macedonia</b>	59	71	81	82
<b>Montenegro</b>	x	49	49	52
<b>Serbia</b>	x	60	66	63

Source: UNDP Development Reports (2006; 2011;2015;2020)

However, looking at the Gender Inequality Index (GII), appear to tell a positive story as the state ranks 38<sup>th</sup> out of 162 countries in the 2018 index (UN, 2019), and other countries in the Region are placed between 27<sup>th</sup> and 38<sup>th</sup> position. Women are still disadvantaged in Bosnia and Herzegovina as 73.1 % of adult women have reached a secondary level of education compared to 90.0 % of their male counterparts, while the participation of women in the labour market is 35.6 % compared to 58.6 % for men (UNDP, 2019). This low level of participation is in spite the fact that female students are 50.6% of all students and women with higher education degrees outnumber men (Agency for Statistics, 2019). Women’s representation and women’s access to political leadership roles in Bosnia and Herzegovina varies between different levels of government, and between different institutions at the same level (Agency for Statistics BiH, 2018). For example, the House of Peoples had 20 % female representatives in 2019, and there were only two women in the Council of Ministers in 2019 which is effectively the country’s government (IPU Parline, 2019). There has never been a female member of the three members’ collective

presidency and the position of women in lower-level political institutions has been volatile and geographically variable (Central Elections Committee BiH, 2019).

The discrepancies between these two rankings can be explained by the fact that since the 1990s, the civil society sector, especially Nongovernmental organisations (NGOs) addressing women issues have developed with the international support and finance (Agency for Gender Equality, 2014). The strengthening of these women focused NGOs, together with pressure from the international community has led to a succession of engagement with international conventions and gender equality legislation have contributed to the country's better rankings in the GII index (UNDP, 2019).

In 1995, the year of the Dayton Agreement, The Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) and European Convention on Human Rights (ECHR) was implemented into the legal system of the country. Following this Bosnia and Herzegovina developed a network of Gender institutional mechanisms (GIM) at all levels of government in line with UN guidelines (Babic-Svetlin, 2009). As part of this the Gender Equality Law (2003) stipulates the formation of committees for gender for every legislative body in Bosnia and Herzegovina, from the national to local community level. Bosnia and Herzegovina was the first country in South East Europe to, in 2010, adopt the National Action Plan for the implementation of the UNSCR 1325, and first in the region to ratify Istanbul Convention in 2013.

*Table 3.2. Gender equality mechanisms and gender equality legislation in BiH*

<b>Year</b>	<b>Gender mechanisms</b>	<b>GE legislation national/international</b>
2000	Gender Centre of Federation of BiH	
2000	Committee on Gender Equality of Parliamentary Assembly BiH	
2000		BiH Adopted UN Resolution 1325 WPS
2001	Gender Centre Republike Srpske	
2003		Gender Equality Law of BiH was enacted
2003		Changes in Election Law stipulating 40% of candidate list gender quotas
2004	The Gender Equality Agency of BiH	
2006		1 <sup>st</sup> Gender Action Plan (GAP) 2006-2010 adopted
2010		1 <sup>st</sup> National Action Plan (NAP) for the implementation of the UNSCR 1325 was passed, for the period 2010-2013
2013		2 <sup>nd</sup> Gender Action Plane (GAP) 2013 – 2017 adopted
2013		The changes so the Election Law accepted and 40% was implemented during general elections
2013		The Istanbul Convention ratified
2014		2 <sup>nd</sup> National Action Plan (NAP) for the implementation of Resolution 1325 is adopted, for the period 2014-2017
2015		Framework Strategy for the Implementation of the Convention on Preventing and Combating Violence against Women and Domestic Violence in BiH (2015-2018) <sup>9</sup> (following the obligations by the Istanbul Convention)
2018		3 <sup>rd</sup> Gender Action Plan (GAP) 2018-2022 adopted

<sup>9</sup> Following the obligations by the Istanbul Convention

In 2000, the Gender Centre of the Federation of Bosnia and Herzegovina (The Gender Centre) was established to monitor the status of women and the exercising of their rights according to the national and international legislation and to it coordinates its work with the Gender Equality Commissions of both Houses of the Parliament of the Federation (The Gender Centre, 2017; Babic-Svetlin, 2009). In the same year, Bosnia and Herzegovina adopted UN Resolution 1325 on Women, Peace and Security. In 2003, the wide ranging Gender Equality Law was enacted to defines, promote and safeguard gender equality and guarantees equal opportunities for all citizens, and to prohibit direct or indirect gender-based discrimination. (Babic-Svetlin, 2009:13). The following year, under the jurisdiction of the Ministry for Human Rights and Refugees, the Gender Equality Agency is established to primarily monitor and analysis of the status of gender equality in Bosnia and Herzegovina, based on reports submitted by the entity gender centres and to report to the Council of Ministers of Bosnia and Herzegovina the improvement and promotion of gender equality (Babic-Svetlin 2009; Gender Equality Agency 2016). Also, in 2003, the Election Law stipulated a gender quota of 40% and implementation of ‘zipper party lists’, where candidates of the less represented gender have to be one of the two first on the lists, two in five, three in eight and so on (Byrne and McCulloch, 2012).

In 2006, the first Gender Action Plan for Bosnia and Herzegovina 2006-2011 was adopted to define strategies and to realise the programming objectives needed to achieve the equality of women and men in Bosnia and Herzegovina (Babic-Svetlin 2009 ;UNDP/UN Women, 2019). In 2010, the first National Action Plan (NAP) for the implementation of the UNSCR 1325 was passed, for the period 2010-2013 (UNDP/UN Women, 2019) and in 2013, the second Gender Action Plan was adopted for the period 2013 -2017. In 2012, Bosnia and Herzegovina initiated the process of complying with the Istanbul Convention and finished it in 2013 becoming the first country in the Region and the sixth Council of Europe Member State to ratify the Istanbul Convention. Following the obligations assumed by the Istanbul Convention, in 2015, the Council of Minister of Bosnia and Herzegovina adopted a Framework Strategy for the Implementation of the Convention on Preventing and Combating Violence against Women and Domestic Violence in BiH for the period

2015-2018<sup>10</sup> (UNDP/UN Women, 2019). In October 2018, the third Gender Action Plan for the period 2018-2022<sup>11</sup>, was adopted (UNDP/UN Women, 2019).

In spite of this raft of legislation and high-level engagement on gender issues women on the ground have not experience a significant and positive impact on their lives (USAID, 2016).

According to the representatives of the gender institutional mechanisms in Bosnia and Herzegovina, it is essential to include institutional structures for gender mainstreaming within governments and at all levels of government (UNDP/UNWomen, 2019). The Agency for Gender Equality of Bosna and Herzegovina and Gender Centres of the Federation of Bosnia and Herzegovina and Republika Srpska are considered particularly important as they are the gender mechanisms that are intended to impact on the executives at the state and entity level (UNDP/UNWomen, 2019). It is argued that the lack of communication between different levels of government impacts on the effectiveness of gender mechanisms leading to the lack of long-term systemic solutions for gender equality issues and that measures ensuring the advancement of women in public life are not adequately addressed (Babic-Svetlin, 2009; USAID, 2016).

It is true that in Bosnia and Herzegovina, women still face important obstacles both in employment and in social protection, there are less women active in the labour market than men, maternity benefits are as inadequate and unsynchronised, and women often face discrimination in recruitment (USAID, 2016; Babic-Svetlin, 2019). A gender analysis of Bosnia and Herzegovina conducted in 2016 confirmed that gender stereotypes, especially those cultivated by traditionally appropriate roles of men and women in the society, continue to undermine gender equality in politics, economics, culture, social and private life and that this situation has not been impacted on by national level policies that have remained largely a paper exercise (USAID, 2016). Traditional norms and practices have remained a significant barrier to achieving the gender inequality for women (UNDP/UNWomen, 2019). In addition to the social and cultural barriers the slow and cumbersome post-Dayton institutional structure both slows down the passing of laws and hampers the implementation of policies (USAID, 2016). For example, it took ten years between changes in

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<sup>10</sup>Official Gazette of BiH, 75/15

<sup>11</sup>Official Gazette of BiH, 98/18

the Election Law that put in place 40% gender quotas and for that law to be accepted by the Council of Ministers of BiH and applied at the general elections.

The introduction of gender equality and gender mainstreaming in public life in Bosnia and Herzegovina requires action in terms of creating awareness and increasing knowledge about the causes and consequences of gender discrimination. Even if this was seriously attempted it would be a slow-moving process influenced by the changes in global, regional, and local circumstances and it would require radical restructuring and reform of institutional and policy-making strategies related to gender equality issues (Babic-Svetlin, 2009). This change has not happened as there is a gap between the aims of the political parties in government and the framework that international actors promote as part of good governance and democracy (USAID, 2016). International actors and civil society with a focus on women's rights have constantly put pressure on both the government to promote and improve the position of women in Bosnia and Herzegovina, the government has complied by introducing high-level initiatives but lacks the desire to implement them in practice (USAID, 2016).

## **Conclusion**

The position of women in post-Dayton Bosnia and Herzegovina remains comparatively weak. In the past century, women of this country lived in six different state structures and political systems, each of them imposing specific gender relations. This chapter places public roles of women in this polity, in the historical context, including the negative impacts of being a post-conflict and a post-socialist state. It also emphasises the persistent nature of the ethnic conflict that is entrenched in the history of the region and the way in which it led to the collapse of SFRY and the subsequent war. Women still face a high level of inequality in the post-Dayton Bosnia and Herzegovina and the cumbersome and slow-moving post-Dayton state apparatus, has frustrated progressive policy reform including in terms of the implementation of gender quotas for political representation. The observable changes in women's representation at the higher levels of governance have been driven by pressures from the international community, that led to the introduction of the candidate list gender quotas. This focus of international community on the state level institutions might also be the reason for a gap in the political representation of women between Cantonal and higher state

level legislative institutions. The complex state institutional configuration can either confront the complicated and deep-rooted factors that construct women's inequality, or the form of those institutions could be a part of the problem. From this perspective, the following chapters will explore the relationship of the country's complex consociational structure and the political representation of women in post-Dayton Bosnia and Herzegovina.

## **Chapter 4. Political Parties and Women's Representation in Post-Dayton Bosnia and Herzegovina**

### **Introduction**

The signing of Dayton Peace Agreement created in Bosnia and Herzegovina an extremely complicated institutional structure and one of the world's most complex political systems. The complexity and deep ethnic cleavages are believed to create a barrier to the representation of women in these political structures (Miftari, 2015; Mulaosmanovic and Kulanic, 2017). This chapter examines the gendered impact this institutional structure the numbers of women represented within the higher levels of the fragmented political system.

The first section examines the internal consociational arrangement within Bosnia and Herzegovina put in place by Dayton Peace Agreement, followed a description of the way in which the political system works post-DPA. The chapter then sheds light on the pattern of significant parties' political representation and discusses the impact of with on women as political actors. Next, this chapter demonstrates the representation of women across the internal structures of political parties, and the presence of gender equality issues in parties' documents and manifestos. The fourth section examines the impact that ethnic cleavages have on the representation of women across political parties in Bosnia and Herzegovina. This section also sheds a light on society's perception of the ability of women to defend the 'vital national interest' concept which is important in post-conflict societies in general, but particularly so in societies based on principles of consociationalism. Sections five and six consider the representation of women in legislative bodies in the context of electoral changes and the women in position of leadership in post-Dayton Bosnia and Herzegovina.

## **Dayton Peace Agreement: Internal Consociation**

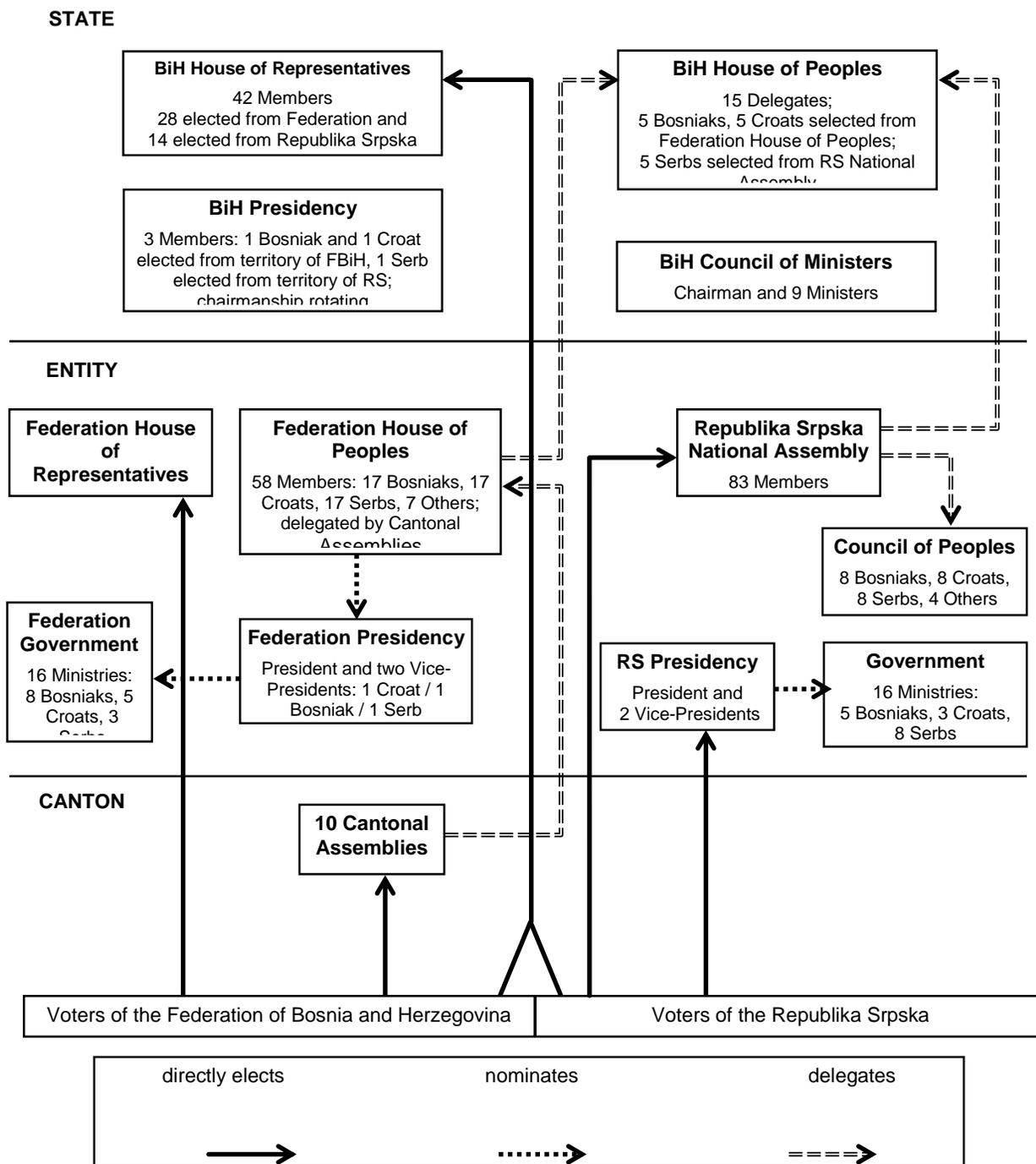
Bosnia and Herzegovina is a highly decentralised state (Merdzanovic, 2015). It is designed around ethnic interests of the three ethnic groups defined in the constitution, Bosniaks, Serbs and Croats. The Dayton Peace Agreement and other subsequent consociational peace agreements are based on the proportional representation of these three ethnonational groups at all levels of the executive and legislative bodies. The Agreement divided the state administratively and geographically into three distinct areas: The Entity of the Federation of Bosnia and Herzegovina, The Entity of Republika Srpska, and Brcko District. This division contributed further to the decentralisation of the state, as significant proportion of the responsibilities and powers associated with government lie at the Entity level. The main policies the state is responsible for are those areas that deal with external relations and with inter Entity affairs, including foreign policy, protection of human rights, the common armed forces and the state border agency (Merdzanovic, 2015:165).

The executive bodies of the state of Bosnia and Herzegovina are tripartite the Presidency and the Council of Ministers. The Presidency, (Constitution of Bosnia and Herzegovina Art 5, Par.1), is directly elected, consisting of one Bosniak and one Croat from the Federation of Bosnia and Herzegovina, and one Serb from the territory of Republika Srpska. The responsibilities of the Presidency are relatively narrow. They execute the country's foreign policy, executes decisions of the National Assembly, present a budget to the National Assembly and appoint ambassadors. The Presidency also appoints the Chair of the Council of Ministers, often referred to as the Prime Minister of the country, as the Council of Ministers effectively plays the role of the Government of Bosnia and Herzegovina (Merdzanovic, 2015: 166). The National Assembly is made up of the House of Representatives (the lower house) and the House of the people (the upper house). The House of Representatives has 42 directly elected members, of which, two-thirds are from the territory of the Federation of Bosnia and Herzegovina and one third from the Republika Srpska. The House of Peoples, has 15 members are delegated rather than elected. The ethnic composition of this house is 5 Bosniaks, 5 Croats, both from the Federation of Bosnia and Herzegovina, and 5 Serbs from the Republika Srpska. The way in which members of this parliamentary house are delegated shows the important role ethnic quotas play in this consociational polity. The delegates

from the Federation of Bosnia and Herzegovina can only be members of the Bosniak or Croat corpus, which means that no Serb member residing in this Entity could ever be delegated to the House of Peoples. Reciprocally, in the Republika Srpska, members of no other ethnic group but Serbs could be delegated to the upper house of Parliament. The National Assembly is the parliament that is the legislative body and all legislation requires the approval of a qualified majority of both houses. The statistics from the period of 2006-2010 showed that the parliamentary assembly only proposed 20% of all legislation, the Council of Ministers proposed most of the legislation, 75%, while the tripartite Presidency was responsible for proposing only 5% of legislation in this period (Merdzanovic, 2015:166).

Council of Ministers has a key role in policy making. The president appoints the chair of the Council of Ministers who then nominates its members, but they can only take office with the approval of the House of Representatives. Under the Dayton Peace Agreement, Ministers are selected in a way that ensures that no more than two thirds come from the Federation of Bosnia and Herzegovina and one third from the Republika Srpska (Constitution of Bosnia and Herzegovina, Art.5, Par 4). The Council of Ministers has a somewhat broader mandate than the Presidency, which includes the annual financial report to the National Assembly, as well as executing policies and decisions of the National Assembly or to take on any other tasks that Entity-level bodies refer to the Council. In post-Dayton Bosnia and Herzegovina, no woman has ever held the position of either member of the Presidency or the Chair of the Council of Ministers.

Figure 4.1. National and Sub-National Levels of Government in Bosnia and Herzegovina



Source: Merdzanovic 2015: 170

The next section will look at the entities of the Federation of Bosnia and Herzegovina and the Republika Srpska and the way in which these entities relate to the state of Bosnia and Herzegovina (See Map 4.1.) As the country's Constitution, determined by the Dayton Peace Agreement, considers the two entities the 'elements' of which the state is composed, their relationship with the national state is at the core of the country's constitutional, political and administrative system (Constitution of Bosnia and Herzegovina, Art 1, Paragraph3).

### *Entities*

Federation of Bosnia and Herzegovina, a multi-ethnic Entity, was created as a direct result of the negotiations between the delegations of Bosnia and Herzegovina and Croatia held in Washington DC and mediated by the representatives of the American diplomatic corps, namely ambassadors Redman and Galbraith. After initial negotiations, both parties agreed to a framework for a federation between Croats and Bosniaks and a preliminary agreement for a confederation between the Federation of Bosnia and Herzegovina and the Republic of Croatia. The result of these negotiations was the signing of the Washington Agreement on the 18th of March, 1994. The Prime Minister of Bosnia and Herzegovina, Haris Silajdzic, and the leader of the self-proclaimed Croatian Republic Herzeg-Bosnia Kresimir Zubak, signed the Constitution for the Federation, while the President of Bosnia and Herzegovina, Alija Izetbegovic, and the Croatian President, Franjo Tudjman, signed the preliminary agreement on the confederation between the Federation of Bosnia and Herzegovina and the Republic of Croatia (USIP, 2000). This agreement not only put ended the war between the Croatian Council of Defence (HVO) and the Army of the Republic of Bosnia and Herzegovina (ARBiH), which was also referred to as a 'war within a war', but also divided the territory of the Federation into ten autonomous Cantons (see Map 4.1).

The Federation is based on the principles of consociationalism, giving Cantons extensive powers and responsibilities as a tool for the protection of the 'vital national interests' of each ethnonational group. The division of Cantonal and federal responsibilities and powers are discussed later. The city of Sarajevo, the capital of Bosnia and Herzegovina, is also the capital of the Federation of Bosnia and Herzegovina. The Parliament of the Federation is comprised of the House of

Representatives and the House of Peoples. The House of Representatives has directly elected delegates, whose numbers has varied over time and at present stand at 98 representatives, of which each ethnonational group must have at least 4 representatives. The House of Peoples has indirectly elected delegates, 17 from each constituent ethnic group, Bosniaks, Serbs and Croats (USIP, 2000; Parliament Federacije BiH, 2017). Representatives to the House of Peoples are sent from the Cantonal assemblies. As Gavric, Banovic and Barreiro (2013:52) state: ‘These delegates have the ability to make use of their veto rights in the parliament in case of violation of vital national interest’.

Map 4.1. Map of Bosnia and Herzegovina representing the division into Entities



The President of the Federation of Bosnia and Herzegovina and his/her deputies are elected by both houses; they must come from all three constituent peoples. According to the federal Constitution, except for the Prime Minister, the government must comprise eight Bosniak, five Croat and three Serb Ministers, while one of the delegates from the ethnic group of Others can replace one Bosniak Minister. Apart from the ethnic quotas, there are other factors which can further complicate the political structures, such as the formation of coalitions between parties, which often causes a delay in forming a government after the elections (Gavric, Banovic and Barreiro, 2013).

Republika Srpska, unlike the Federation of Bosnia and Herzegovina is more ethnically unitary and more centralised, and as it is not significantly ethnically mixed, there was no need for further administrative divisions between the Entity and local level. In its first Constitution in 1992, before the Dayton Agreement, the capital of this Entity was also Sarajevo. This, however, is not the case in practice. In practice, the informal capital of the Republika Srpska is Banja Luka where all political and administrative institutions are based. However, in recognition of the presence of other ethnic groups the 2000 constitutional changes introduced the ethnic principle in legislative, executive and judicial bodies in the Republika Srpska. These changes led to the formation of a second chamber in which representatives have the power of veto in the protection of their vital national interests (Gavric , Banovic and Barreiro, 2013). The new structure inevitably made the structure of the Republika Srpska more complicated but less so than the Federation. From 2000 the Republika Srpska elected its President and deputies every four years. There are three deputies one from each of the three constituent peoples. The national assembly has 83 representatives elected by majority vote. The delegates to the second chamber, the Council of Peoples are members of each ethnic group elected by the representatives to the National Assembly. Unlike the House of Peoples in the Federation, the Council of Peoples in the Republika Srpska has much more limited powers which are restricted exclusively to the protection of the vital national interest. The government of the Republika Srpska comprises eight Serb, five Bosniak and Three Croat ministers, while the President appoints the Prime Minister directly (Gavric, Banovic and Barreiro, 2013).

Brcko District is the third administrative component of Bosnia and Herzegovina. Although Brcko District does not have Entity status, its important geographical position earned it a special status

in the Dayton Peace Agreement (1995). The Brcko District is the main geographical link between two parts of the Republika Srpska. It was previously governed by a Commission that comprised one international community representative and one representative from each Entity. In 2004, however, Brcko District held its first elections since the war, giving the municipality its own legislative, executive and judicial bodies (Bieber 2005:412) Unlike the rest of Bosnia and Herzegovina, Brcko District, according to Merdzanovic (2015: 175) does not follow “the consociational logic”. The Parliamentary Assembly of Brcko District has 31 members, two of whom are elected from the minority groups. Its decision-making process is governed by a simple majority rule which is more characteristic of the liberal democracy rather than the consociational model (Merdzanovic, 2015: 176). As considering that Brcko District is a municipality and not a sub-national level of legislature it will not be discussed in the detail applied to the entities.

### **Political Parties in Post-Dayton Party System**

Historically, the multi-party system in Bosnia and Herzegovina was established before the Balkan wars, in 1990, after the amendments to the Constitution of the Socialist Republic of Bosnia and Herzegovina, which allowed the country to move away from the single-party system and introduce the first multi-party elections. The amendments introduced fundamental changes to its political system declaring Bosnia and Herzegovina as a democratic sovereign country of Muslims, Serbs and Croats, citizens and others (Sedo, 2010; Dzankic, 2015) Every citizen who resided in Bosnia and Herzegovina had the right to freely elect their representatives as well as to be elected in secret and free elections. In order to prevent the formation of political parties based on ethnicity, ban on the solely ethnic parties was introduced. This ban, however, soon after, was deemed unconstitutional resulting in removal of any obstacles to the formation of the ethnic and nationalist parties (Arnautovic, 2016; Kapidzic, 2015). The first nationalist party emerged in May of 1990, Party of Democratic Action (SDA) represented Bosnian Muslims, followed by the Serbian Democratic Party (SDS) formed in July of the same year representing Bosnian Serbs and in August of 1990, the Croatian Democratic Union (HDZ BiH) was formed to represent the interest of Bosnian Croats. The non-ethnic party established in 1990 was the former Communist Union which change its name into Communist Union – Party for Democratic Changes (SK- SDP) and which

later became a Social Democrat Party (SDP). The first multi-party elections in 1990, marked a victory of nationalist parties which accelerated ethnic animosities and consequently led to the 1992-1995 war (Kapidzic, 2015).

The party system in post-Dayton Bosnia and Herzegovina still remains fragmented and dominated by the same large pre-war ethnonationalist parties, which became embedded in the political system of the country (Sedo, 2010; Dzankic, 2015). Kiel and Perry (2015) however highlighted the emergence of new political parties which occurred after the 2000 election. The creation of new parties was caused mainly by the within party cleavages and intra-party splits. This resulted in Party of Democratic Action (SDA), Party for Bosnia and Herzegovina (SBiH), Union for a Better Future (SBB) are competing for the Bosniak votes; Croatian Democratic Union (HDZ BiH), Croatian Democratic Union 1990 (HDZ 1990) competing for Croat votes; two major parties Serbian Democratic Party (SDS) and Union of the Independent Social Democrats (SNSD) for the Serb votes, while the Social Democrat Party (SDP) and Democratic Front (DF) are giving voters a civic, non-nationalist option (Kiel and Perry, 2015). The broadening of the party system could be explained by the consociational structure of the country and its multiple levels of government, giving the possibility to voters to make different party choices at different levels they are voting for (Kiel and Perry, 2015; Djankic, 2015). For example, a voter could choose to give the vote to a smaller non-nationalist party for the Cantonal Assembly since the threshold is lower at lower levels of government, while the same voter could choose a larger party to vote for at the Federal level and again, a different party for the national House of Representatives considering that only parties that gain sufficient votes in both entities would be represented at the national level of government<sup>12</sup> (Kiel and Perry 2015:84). This, coupled with the general dissatisfaction of people with the three major pre-war parties mentioned earlier, and the emergence of the new alternatives, contributed to

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<sup>12</sup> Article 4.4 of the Election Law of Bosnia and Herzegovina states following thresholds for different levels of legislatures: 5000 signatures of voters recorded in the Central Voters Register for the elections for the members of the House of Representatives of the Parliamentary Assembly of BiH; 3000 signatures of voters recorded in the Central Voters Register for the elections for the members of the House of Representatives of the Parliament of the Federation of BiH or for the members of the National Assembly of the Republika Srpska or for the elections for the President and Vice Presidents of Republika Srpska; 500 signatures of voters recorded in the Central Voters Register for elections for the delegates of the Cantonal Assemblies of the Federation of Bosnia and Herzegovina in a Canton in which number of voters recorded in the Central Voters' Register on the day elections were announced did not exceed 100.000 voters; 1000 signatures for elections in a Canton in which this number exceeded 100.000 of voters recorded in the Central Voters' Register Central Election Commission 2019)

further fragmentation of the country’s political system. Data in Table 4.1. demonstrates the extent of the fragmentation of the political system in Bosnia and Herzegovina with large numbers of political parties/coalitions and independent candidates contesting post-war general elections. What complicates the matter further is the fact that Bosnia and Herzegovina have three different laws on political actors, as well as three different standards for both formation and registration of political parties, depending on the geo-administrative part of the country they are active in. Registration of political party must be undertaken in Court Register, within 30 days from the day of the establishment. In the Federation of Bosnia and Herzegovina, there are 10 Municipal Courts authorised for party registration, in Republika Srpska 4 Primary Courts and one District Court, while in Brcko District to register a political party the application must be submitted to the District Court. The laws regulating political organisations are also different; the Federation adopted the ‘Law on Political Parties SRBiH’ from the Socialist Republic of Bosnia and Herzegovina, Republika Srpska created its own ‘Law on Political Organisations’ and Brcko District has its law also called ‘Law on Political Organisations’ (Central Election Committee, 2016).

*Table 4.1. Political actors contesting general elections in post-Dayton Bosnia and Herzegovina (National, Entity and Cantonal levels)*

<b>Year</b>	<b>Political Parties</b>	<b>Coalitions</b>	<b>Independent Candidates</b>	<b>List of Independent Candidates<sup>13</sup></b>	<b>Total</b>
1996	36	2	2	0	<b>40</b>
1998	57	10	10	0	<b>77</b>
2000	44	0	6	3	<b>53</b>
2002	57	9	3	0	<b>69</b>
2006	36	8	12	0	<b>56</b>
2010	39	11	13	0	<b>63</b>

<sup>13</sup> Article 4.15 (1) of the Election Law of Bosnia and Herzegovina states : For the elections at all levels of authority two or more certified independent candidates may join together and submit a single candidates list under one name and a decision on appointment of an authorized persons for representation before the BiH Central Election Commission. The list of independent candidates shall submit its application for certification no later than 110 days before the date of the elections (Central Election Commission, 2018)

2014	65	24	24	0	<b>113</b>
2018	69	36	34	0	<b>139</b>

Source: Central Election Commission BiH (2018);

Apart from being an indicator of the high fragmentation of the political system, a large number of parties contesting the elections could be also explained by the criteria that need to be met in order to register a political player in this polity. In the Federation of Bosnia and Herzegovina, only 50 adult citizens are needed to form the political party, in Republika Srpska 500 founders are needed and in Brcko District, 300. Founders must be citizens of Bosnia and Herzegovina, while in Republika Srpska, they also must be residents in this Entity. (Central Election Committee, 2016; Kapidzic, 2015). To register for the general elections, each political party must collect 10 000 signatures for the state and Entity levels and 1500 signatures for the Cantonal level of government. Some argue that the large numbers of political parties/coalitions and independent candidates contesting elections could be contributed to the voters’ loss of confidence in the existing political elites and their parties, as well as doubting their capabilities or willingness to bring about changes in society (Kiel and Perry, 2015, Kapidzic, 2015). Following this logic, Table 4.1. shows that there is a fluctuation in numbers, where numbers increase to some extent at every second election. General elections in 2018, saw the record increase when 139 political parties/coalitions and independent candidates decided to contest the general elections (Central Election Committee BiH, 2018). The political system of Bosnia and Herzegovina (BiH) was fragmented even before general elections in 2014 (Kapidzic, 2015; Arnautovic, 2016), but the number of political actors contesting general election in 2018, showed that the fragmentation deepened even further. Arnautovic (2016), explains this fragmentation through the mutual impact of following factors: territorial organisation of the country (FBiH, RS and Brcko District); the heterogeneity of society (three ethnonational groups and other demographic categories); and elections system based on small constituencies (small electoral magnitude), which generally prefers large parties. This, Arnautovic argues creates some kind of a paradox in the political system of BiH. The election system for parliamentary institutions at all levels is proportional representation (PR), using the Saint-Lague method for seat allocation, resulting in an increased number of political parties in the county’s political arena. Simultaneously, small constituencies are more prone to a smaller number of relevant parties, usually not more than three (Arnautovic, 2016: 68).

The significant increase in the number of political parties contesting the 2014 general elections, however, could be attributed to several other factors. According to some reports, both pre and post-2014 general elections (OSCE/ODIHR, 2015; NDI, 2014), the political environment in Bosnia and Herzegovina became even more challenging for the government in pre-election period in 2014. The OSCE/ODIHR Election Observation Mission reports:

*'In February 2014, BiH witnessed large-scale socio-economic protests, triggered by high unemployment and allegations of corruption. Extensive political negotiations over the appointments for key regulatory agencies remain a well-established practice, leading to concerns about their independence. Furthermore, the reliance on party-controlled public employment for a large percentage of the population means that considerable segments of the society are dependent on political parties. On 12 February, the SDP submitted a proposal to the parliament to introduce a change in the legislation to allow for early elections, which was rejected. In May 2014, the socioeconomic situation was further exacerbated by severe floods' (OSCE/ODIHR, 2015:4).*

Apart from the humanitarian crisis caused by floods in 2014, the public dissatisfaction with political elites was also aimed at their lack of urgency to form the government after the previous general elections in 2010. Even though all levels of government are obliged to form the government 30 days after the election day, they took six months to constitute the House of Representatives of Parliamentary Assembly of Bosnia and Herzegovina, and 16 months to form the Council of Ministers which is effectively the country's government (Osmic, 2015: 106). Lewis (2006: 564) argues that there are other factors which can explain a large number of parties within some political systems, particularly in 'new democracies' such as Bosnia and Herzegovina. Fragmentation and splits within parties and the creation of new ones are a common occurrence in these types of political systems. In Bosnia and Herzegovina, for example, two new major parties formed just before general elections 2014. Democratic Front, led by a former member of Social Democratic Party, and Party of Democratic Activity which was formed after a major split within the Party of Democratic Action (the main Bosniak nationalist party). Both of these parties won seats at different levels of government during their first general elections in 2014.

Party systems in the post-communist space generally tend to be ‘both more fluid and show higher levels of fragmentation than most other new party systems’ (Lewis, 2006: 564). Lewis argues that numbers of party actors in many post-communist countries has often led to short institutional lives of both parties and governments and that countries in the post-communist space have considerably more political parties and more unstable political systems than in both established democracies and countries in other regions who went through the process of democratic transition (Lewis, 2016).

### **The pattern of significant political parties’ representation in the Parliament of Bosnia and Herzegovina 1996-2018**

The high fragmentation of political system has influenced the way political parties are chosen for this study. The main political parties, who won seats most frequently at general elections from 1996 to 2014, will be briefly described. In order to be considered as significant parties, they must fulfil the following criteria. These criteria are loosely based on the definition of the relevant parties in Bosnia and Herzegovina used by Kapidzic (2015: 50):

- Contested independently four or more post-war elections
- Won seats independently at four or more post-war elections
- Have 5% or more seats won at four or more post-war elections.

After the most recent elections in 2018, which were held 23 years after the DPA is signed, the majority of significant political parties in Bosnia and Herzegovina are nationalist parties, closely connected to their respective ethnonational groups. Six parties that have satisfied the criteria are: SDA (Party of Democratic Action), HDZ BiH (Croatian Democratic Union BiH), SBiH (Party for Bosnia and Herzegovina), SDP (Social Democratic Party), SDS (Serb Democratic Party) and SNSD (Alliance of Independent Social Democrats).

**SDA (Party of Democratic Action)** - This is a first national Bosniak party, founded in 1990, by Alija Izetbegovic who was the first president of interdependent Bosnia and Herzegovina and who represented Bosniaks during Dayton peace negotiations. This party is an observer member of European People's Party. The SDA party started as a Bosniak national centre-right party whose ideology is based on commitments to Islamic, traditional values. The main aim of the creation of the SDA party was to represent Muslim or, as it is referred to today, Bosniak population in Bosnia and Herzegovina, but it is showing a tendency of opening to people of other nationalities. During the war, SDA was the main political and military force of Bosniaks. Since 2015 it is led by Bakir Izetbegovic, the son of the founder of the party and the first President of the independent Bosnia and Herzegovina. The SDA party won seats independently and on one occasion as the part of a coalition at every election in post-Dayton Bosnia and Herzegovina and had representatives at all levels of the legislature. This party is still the most important party for the Bosniak corpus, although the SDA have to compete for its share of the Bosniak electorate with other parties with Bosniak prefix and some cross-ethnic parties.

**HDZ BiH (Croatian Democratic Union of Bosnia and Herzegovina)** – This is the largest party of Croats in Bosnia and Herzegovina. This is a right-wing party based on the ideology of Cristian Democracy, Croatian Nationalism and Conservatism. The party is affiliated with the European People's Party. HDZ BiH was founded in 1990 before the first multi-party elections in order to gather support from Croatian corpus living in all areas of Bosnia and Herzegovina. As they state in their statute, they are 'a people's party' that gathers all strata of Croatian society and other citizens of Bosnia and Herzegovina (HDZ BiH Statute, 2017). During the 1992-95 war, HDZ BiH was a crucial protagonist in promoting and fulfilling political and military interests of Croats living in Bosnia and Herzegovina. After the war, the party was a mastermind behind the formation of the Croatian National Assembly which is based on tenets of the Croatian Union Herzeg- Bosnia. This Union was created during the Croat-Bosniak war, that is referred to as the 'war within the war' in the early 1990s in Bosnia and Herzegovina. The existence of Herzeg-Bosnia was to cease upon signing of the Washington Agreement, however, it continued to exist until the late 1990s when it was officially abolished, on paper. Its political and ethnonational legacy continues and lingers in names of publicly owned companies and cultural and political symbols in the areas and Cantons with Croat majority population. The desire of Croat political leaders to re-instate Herzeg- Bosnia

becomes more emphasised in the times of election campaigns, since the Croatian political elites led by the HDZ BiH party never gave up on the idea of the third, a Croat Entity, in more decentralised Bosnia and Herzegovina. The leader of the HDZ BiH is Dragan Covic, who since 2005 was elected to this position at four consecutive party elections. Covic is a leading protagonist of the idea of the third Entity, whose centre of power should be the city of Mostar. In 2005, due to an internal split a new Croatian party HDZ 1990 was formed, which gained some influence in the Croatian corpus and won seats in the Parliament independently and in coalition with other, smaller Croatian parties, but no party has yet managed to jeopardise the power the HDZ BiH has among Croats in Bosnia and Herzegovina.

**SBiH (Party for Bosnia and Herzegovina)** - This is the majority Bosniak party, although, in their statute and political programme, this party describes itself as a multi-ethnic party. SBiH was established in 1996, after the internal split in the SDA party. Its founder was Haris Silajdzic, one of the most influential political leaders in the war-time Bosnia and Herzegovina. In the period immediately after the war, SBiH party was one of the major political players winning seats at five elections independently and once in the coalition with other Bosniak parties.

**SDP BiH (Social Democratic Party of Bosnia and Herzegovina)** - Social Democratic Party of Bosnia and Herzegovina, originally came out from the League of Communists of Bosnia and Herzegovina after the independence of the country from SFR Yugoslavia. The party later joined forces with Social Democrats' Party, which together formed today SDP BiH. Party is multi-ethnic, left-wing oriented, with social democracy as its ideological standpoint. The party is the associate member of the party of Europe Socialists and member of the Socialist International. SDP party could be considered as the most significant and the longest-lasting cross-ethnic parties in Bosnia and Herzegovina, although it had, as a majority of other parties in this country, its internal splits. Firstly in 2002, the internal SDP split led to the formation of the Social Democratic Union of Bosnia and Herzegovina (SDU BiH). In 2013, after the irreconcilable differences between a long-term leader of the SDP party Zlatko Lagumdžija and Zeljko Komsic who was at the time member of the tripartite Presidency, Komsic parted with the SDP and formed the Democratic Front (DF). The SDP party has won seats seven times independently and at the first post-war elections as part of the 'Zdruzena Lista' coalition. This party has two major victories at 2000 and 2010 elections,

attracting more voters than other parties and formed a coalition government (Kapidzic, 2015). The current leader of the SDP part is Nermin Niksic.

**SDS (Serb Democratic Party)** – The SDS party was founded by Radovan Karadzic in the summer of 1990, aiming to unify and strengthen Serb corpus in Bosnia and Herzegovina. The party was formed before the first multi-party elections in Bosnia and Herzegovina with intentions, according to their statute, to represent and protect Serbs and, to ‘secure their existence in the country, on the eve of fall of Yugoslavia’ (SDS Statute, 2018). Prior to its independence, the SDS party was advocating for Bosnia and Herzegovina to remain in federation with Serbia and Montenegro. During the 1992-95 war, the SDS party was the main political and military player in Bosnia and Herzegovina and many of political and military leaders, members of this party, including its founder Radovan Karadzic, were convicted of the war crimes. SDS is dedicated to Serb nationalism and conservatism, its statute stating commitment to the preservation of Serb tradition, Orthodox religion and national historical heritage and culture (SDS Statute, 2108). SDS won seats, as the part of power-sharing in the Parliament of Bosnia and Herzegovina at eight post-Dayton general elections. Their current leader, since 2016 is Vukota Govedarica.

**SNSD (Alliance of Independent Social Democrats)** – Party was formed in January 1996, by its current leader Milorad Dodik, led by, according to their statute, the opposing views to the politics of the SDS party. In their party documents, SNSD is portrayed as the social-democratic party. The SNSD’s Party Programme states that party is led by the values of social democracy, its main aims being the accomplishment of freedom, democracy, social justice and solidarity for all the citizens in post-conflict Bosnia and Herzegovina. Although the party Programme promotes peace, justice, tolerance, and reconciliation within the framework of Bosnia and Herzegovina, this party and its President Milorad Dodik became the main negator of the sovereignty and unity of Bosnia and Herzegovina.

Three of the six parties (SDA, SDS, HDZ BiH) are the most significant and largest ethnonationalist parties which also contested the first multi-party elections in 1990, each representing their respective ethnonational group, described as ‘constituent people’. These three parties had the largest proportion of seats in the Parliament of the pre-war Bosnia and Herzegovina and according

to some (Kapidzic, 2015; Arnautovic, 2016), as well as by the perception of local people in general, were the main protagonists of the events that caused 1992-1995 war in this country. As it is apparent from Table 4.2., the three parties remained very much present in political institutions holding strong positions in respective Parliamentary Assemblies of the post-Dayton Bosnia and Herzegovina. Also, seats won by coalitions in which major parties took part are shown in the table. The HDZ party contested election as a member of coalition at four out of eight elections, while in 1998, the SDA and SBiH were members of the same coalition and that coalition won 40.5%, so these percentages are included in the table as seats won for both parties.

*Table 4.2. Percentage of seats won by main parties to the House of Representatives of Bosnia and Herzegovina 1996-2018*

<b>PARTY</b>	<b>COALITION</b>	<b>1996</b>	<b>1998</b>	<b>2000</b>	<b>2002</b>	<b>2006</b>	<b>2010</b>	<b>2014</b>	<b>2018</b>
<b>SDA</b>	<i>SDA BiH, S BiH, Liberali BiH, GDS</i>	45.2%	40.5%	19%	30.3%	21.4%	16.6%	23.8%	19%
<b>HDZ BiH</b>	<i>HDZ BiH, Demokrsani</i>	19%	14.3%	11.9%	9.5%	7.1%	7.1%	9.5%	11.9%
	<i>HDZ BiH-HNS</i>								
	<i>HDZ BiH, HSS, HKDU, HSP</i>								
	<i>HDZ BiH, HSS, HKDU, HSP</i>								
<b>SBiH</b>	<i>SDA BiH, S BiH, Liberali BiH, GDS</i>	4.8%	40.5%	11.9%	16.7%	19%	4.8%	0%	0%
<b>SDS</b>	<i>SDS Lista</i>	21.4%	9.5%	16.7%	16.7%	7.1%	9.5%	11.9%	7.1%
	<i>SDS, NDP, NS, SRS</i>								
<b>SDP</b>	<i>SDPBiH, UBSD, HSS, MBO, Republikanci</i>	4.8%	9.5%	21.4%	11.9%	11.9%	16.7%	7.1%	14.3%
<b>SNSD</b>		-	-	-	9.5%	14.3%	16.7%	14.3%	14.3%

(-) party did not contest elections at this level

The SDA party, representing the Bosniak population, which as it was stated elsewhere in the thesis, was the majority population in pre-war Bosnia and Herzegovina and which, even after the massive movement of people due to the ‘ethnic cleansing’, still remains the largest ethnonational group, at least on the territory of one Entity, namely the Federation of Bosnia and Herzegovina, has won, with the average of 22.1%, the highest number of mandates in the House of Representatives at the state level. The HDZ BiH, representing Croats and the HDZ BiH, the party of the Serb population achieved a much lower average of 13.2 % and 11.8 % respectively. This could be contributed to the fact that the HDZ BiH contested four out of eight post-war elections as a member of a different Croats’ coalitions, which were not taken into consideration here. It is important to emphasise that HDZ BiH, as member of a coalition, in most cases had majority support, meaning that in all four elections they contested as part of coalitions, majority of representatives elected were from HDZ BiH. In some cases, like at the general elections 2018, all candidates from the Croatian Coalition List elected to the House of Representatives at the State level were from HDZ BiH. The Serb nationalist party SDS won seats independently six times, while on two occasions contested elections as a member of a coalition. Also, the number of the SDS party votes are influenced by the SNSD party gaining voters’ confidence in Republika Srpska and winning Parliamentary seats at every election since the time they first time contested general elections in 2002. It should be noted that from 2006 general elections SNSD took over from SDS by winning more votes at every election since. The Social Democratic Party (SDP), multi-ethnic party built on tenets of social democracy, however, by its political opponents often described as ‘another Bosniak party’ (Kiel and Perry, 2015) has won seats at seven of the eight post-Dayton elections, with the average of 13.1%. Party with the lowest average of 11.3% is the Party for Bosnia and Herzegovina (SBiH). In its political programme SBiH emphasised its multi-ethnic nature, This, however, is contested by their political rivals, stating that this is a very much the party of the Bosniak corpus.

Data represented in this section demonstrates that even more than 20 years since the signing of the DPA, parties with nationalist ideology still prevail on the political scene in Bosnia and Herzegovina. It also indicates that interests of ethnonational groups take the precedence over the interests of other categories in society, including women. It is an example of how the way in which political parties are structured in relation to gender relations, plays a significant role in the political

representation of women (Boric, 2004; Kapidzic, 2015). The strength of nationalist parties in this case is an obstacle for women seeking to operate as effective political actors as women's agency tends to be more curtailed in ethnonationalist political parties where women are expected to conform to more traditional societal norms (UNDP/UN Women, 2019; Cancho and Elwan, 2015; Aganovic, Miftari and Velickovic, 2015).

### **Gender Policies in Party Manifestos and Documents, and the Representation of women Across Party Structures**

Literature on the party system and political parties of Bosnia and Herzegovina states that majority of large parties, including the six significant parties which are analysed here, in their party documents outline the adherence to democratic values and their affiliation with the European party organisations or, in the case of multi-ethnic parties, their loyalty to the international social-democratic alliances (Kiel and Perry 2015, Kapidzic, 2015). This, however, is not implemented in practice. Even though they all promote European and democratic values their programmes and statutes are deeply embedded in the ethnonational narratives (SDA, 2018, SNSD, 2018, HDZ BiH, 2018). Similar situation occurs in relation to electing women to party's structures and tackling gender equality questions in their ruling party documents. Some parties like to be seen as taking the issue of gender equality seriously, but again, only declaratively, with little substance to their statements. A perception shared by some women politicians interviewed for this study, as one of them voiced their disappointment by stating that she feels like an 'ikebana'<sup>14</sup> and that 'she is supported by her party only because parties need female candidates in order to gain women's votes' (2S, 2017).<sup>15</sup> This is also an indication of the limits on women's political agency as they are only involved in party structures, including as candidates, to fulfil defined functions. This tendency is strengthened by the lack of women in leadership positions in the parties. In Bosnia and Herzegovina, even when women succeed in overcoming the numerous barriers, both formal and informal party practices, the prevailing political party culture, and persisting gender-based stereotypes (UNDP/UN Women, 2019), and get elected, there is evidence that even as members

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<sup>14</sup> Japanese art of flower arrangement used often as a table centrepiece

<sup>15</sup> Interview with a woman politician (a) held on the 23<sup>rd</sup> of March, 2017

of a political institution, they lack political agency. As one interviewee commented: *‘There are some women in politics and political structures, but they are almost invisible and they hold positions with no power to make any decisions’* (24J, 2017). One of the representatives of the civil society groups that work on human rights and gender equality issues believes that Bosnia and Herzegovina *‘is still a society where the place of women is predetermined - meaning her place is at home. Even in the media, when you hear a successful female politician talking, she is usually asked how she manages to balance her political and family life, while male politicians are never asked the same question. The position of women in politics mirrors their place in political parties. You can hear political parties repeating how they need more women and how they support female candidacies, but at the same time, there are very few women in the higher positions in the parties’* (18Z, 2017).

This section of the study looks at the numbers of women within six main parties’ structures. The most noticeable detail is that all of the parties have male Presidents. Two parties, HDZ BiH<sup>16</sup> and SDP<sup>17</sup> have two women Vice Presidents each, while SNSD<sup>18</sup> has one. Compared to their party documents, some parties were true to their manifestos and programmes more than others, while, according to the data, none of the parties performed really well. For example, SDA Party’s Programme does not mention gender equality at all, and women are mentioned only in relation to the protection of mothers and families with children (SDA, 2019).

SDA Association of Women is active within the party and it is the only body that addresses gender issues, with their main points being problems of inequality, the position of women in society, violence against women and the law on maternity benefits.<sup>19</sup> The numbers of women and their roles in the party structure are in accordance with the lack of gender aspect in their party documents and policies. This party has only 16 women out of 142 delegates, elected into the party bodies, measured in percentages, 11.3% in total. The only major party whose performance is weaker than the SDA party is the SDS party whose ideology is also deeply rooted in ethnonational feelings and

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<sup>16</sup> <http://www.hdzbih.org/hr/predsjednistvo>

<sup>17</sup> <http://www.sdp.ba/kategorija/potpredsjednici/>

<sup>18</sup> <http://www.snsd.org/index.php/ljudi/ljudi/potpredsjednici>

<sup>19</sup> <https://sda.ba/asocijacije/asocijacija-zena/>

religion of its members. This party has no women in the highest echelons of the party structure either.<sup>20</sup> The statute of the SDS party makes reference to the protection of human rights in general as well as its commitments to combat discrimination without referring to women at all. Article 23 of the party statute stipulates that at least one fifth (20%) of delegates elected in the party's structure should be persons younger than 32 years of age and from the less represented gender. If the direct election fails to reach the above numbers, then members elected into the party's governing bodies who do not form either of these two categories, the delegates with fewest votes are replaced by members with the highest numbers of votes from the two above mentioned categories. Electing members to the Presiding Board of the party and to Co-ordinating bodies for the election constituencies are excluded from this rule, which means that the party is not obliged to elect neither young people nor women to its highest structures (SDS, 2019). Article 54 of the statute allows for women to be organised into 'Aktiv Zena' (Committee for Women), whose aims and activities are outlined by the Executive Board of the SDS party.<sup>21</sup> Political programme of this party does not contain words women, gender or gender equality, and the number of women across the party's structures illustrates this trend (SDS, 2019). This is also the only party which has no data on the numbers of delegates in the party's governing bodies and some information such as the number of the Supervisory Board members was unattainable. According to some interviewees (10M, 2017; 29K, 2017), parties whose ideology is rooted in 'religious beliefs are less likely to treat women members equally to men, so religion is problematic here' (29K, 2017).<sup>22</sup>

HDZ BiH party performed slightly better than other ethnonational parties regarding the numbers of women in its governing structures. The Central Council of the HDZ BiH is made up of the members of the above-mentioned Presidency, plus 30 additional members directly elected at the party's Assembly. Out of the 30 members directly elected into this body, 7 are women, which represent 23.3% of representatives. The party has only one woman Vice President, Borjana Kristo (HDZ BiH, 2018). The Presidency of the party has 25% of female members, while the Supervisory Board is 20% women. Gender equality in the party's policy programme barely takes up half a sentence and is included in the part dedicated to family as a pillar of society,

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<sup>20</sup> <https://www.oslobodjenje.ba/vijesti/bih/procitajte-ko-cini-novo-rukovodstvo-sds-a-486633> accessed 08.10.2019

<sup>21</sup> <http://www.sdsrs.com/sr/news/novosti/aktiv-zena/>

<sup>22</sup> Interview with a male politician (a) held on the 24th of March, 2017

Article 51 of the statute of the HDZ BiH party established the Union of Women of the HDZ BiH, stating that this is an organisational Entity within the party, with its own internal hierarchy. This organisation was founded in June 2008 under the official name, The Union of Women of the HDZ BiH ‘Queen Katarina Kosaca’ (the Union)<sup>23</sup> with headquarters in Mostar. In the Union’s programme, as the main aims and objectives are stated as ‘to promote gender equality as one of the fundamental criteria of democracy, to advocate for better and higher quality family life, since family is the foundation of a happy and healthy society, to promote human rights and freedoms with the emphasis on the people with special needs, children, the elderly, and to fight against violence against women and children’ (The Union’s Programme, 2018).<sup>24</sup> The programme has 22 main points as the main advocacy areas of the union including promoting the economic emancipation of women, educating women on decision making processes and the political engagement of women based on the UN Conventions regarding human rights and political rights of women, Gender Equality Law and constitution of Bosnia and Herzegovina. On paper, the Union of Women of the HDZ BiH, should provide the platform for women’s political empowerment and a space for women to exercise political agency. In practice, however, the majority of its activities are focused on the organisation of humanitarian fundraisers and a celebration of International Women’s Day.<sup>25</sup>

The Party for Bosnia and Herzegovina (SBiH) declares itself as the multi-ethnic party, although it is perceived by the public to be a Bosniak orientated centre-right party. SBiH has, in the number of delegates, much smaller party structures and a very few women in them. According to their Party programme, a woman should be ‘a pillar of society in Bosnia and Herzegovina and a creator of her own social status’ (SBiH Party Programme, 2018). The Programme contains separate part promoting gender equality stating that, in order to achieve gender equality, women should be given the same opportunities primarily in executive bodies of the political system. This, however, does not transfer into higher numbers of women in the party's structures. SBiH has no women Vice Presidents and no women members of the party's Supervisory Board. There is only one woman

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<sup>23</sup> <https://www.hdzbih.org/zajednica-zena>

<sup>24</sup> <https://www.hdzbih.org/zajednica-zena>

<sup>25</sup> <https://www.hdzbih.org/zajednica-zena>

(3.8%) in the Presidency Board of the party, while the Central Council performed better with 25% of women among its members.

The SDP BiH and SNSD parties both have the social democracy embedded in their name, however, their ideological standpoints are almost at the opposite sides of the spectrum. Article 4 in the SDP BiH's statute declares that one of the main aims of the party's activity is building of the open society based on the foundations of the European social democracy such as freedoms, equality, justice, and solidarity. Within these aims, the article 4 outlines, among others, party's duty to combat all types of discrimination and social exclusion, the affirmation of gender equality, guaranteed rights to health and social protection, education, work as well as protection family and other rights. Interviewing some members of the SDP party (14P, 2017; 16P, 2017), their party's aspirations towards gender equality were corroborated. The majority of women members of this party stated that they feel supported by their party, especially through the Forum of Women, which to provide essential resources and expertise in order to conduct successful gender mainstreaming and encouragement for women (24J, 2017; 14P, 2017; 13C, 2107). Party's programme includes a section on gender equality, stating that SDP BiH is exercising a feminist political standpoint, including voluntary gender quotas 50/50 at all levels within the party structure, all levels of executive, legislative, judiciary, and other bodies, whenever possible to do so. The SDP BiH is doing better than the majority of the other parties considered in this study. One of the interviewees, a male member of the party explained: '...we have almost 50/50 gender representation in the party's governing bodies' (29P, 2017). Two of nine Vice Presidents of the SDP BiH party are women (22.2%), while the Presidency (*Predsjedništvo*) of the party includes 25% of women, which is the highest percentage among the six parties. Women also make up 33.8% of the Central Council's delegates, while the Advisory Board of the SDP party, among its members, has 18.2% of women.

There are some parties that have determined the minimum percentage of certain groups including women and youth that must be included in the party's structure. According to one of the interviewees, a young female politician whose main political interests are issues concerning young people:

*'...some parties have determined quotas for women and young people in their party structures. In theory that sounds excellent, in practice, however, in order to satisfy the numbers, they simply elect young women into the governing bodies, which only shows that these quotas are just a cosmetic exercise' (14P, 2017).*

SNSD party is one such party that determined quotas for women and youth. The statute of the party, Article 14 outlines the 'appropriate provision' for the representation of women and young people in the bodies of the Party. It stipulates at least 30% of women and persons younger than 30 years of age. Article 13 of the statute mentions the existence of the Social Democrat Women Association as a special organisational form of the party. In case Party elections fail to reach this ratio, the SNSD bodies can co-opt female and youth delegates from its members' corpus. From the data available on the party's website, it was not possible to determine if SNSD was one of the party's that the above quotation could be applied to. Regarding women elected across the party structures, however, the data shows that one of five Vice Presidents of the party is a woman (20%) while there are 20.9 % of women elected into the Presidency Board of the party. SNSD party has by far the largest Central Council with 288 members, of which 68 or 23.6% are women. According to the numbers presented in Table 5.3, SNSD is not the worst performing party analysed here, despite the fact that its party programme does not mention women in any segment, while its commitment to the protection of human rights and social justice is mentioned twice, in the context of Party's adherence to social-democratic values. However, their practice of co-opting young and inexperienced women into intra-party structures, limits the capacity of women in this political organisation to develop and exercise their agency in a meaningful and constructive way.

In most political systems, decisions such as who will contest elections, what positions candidates will be given on party lists, and who will be given support and promotion during the campaign and after the election, are made by political parties. This alone makes political parties the most

important factor in determining a likelihood of success for women who decided to become politically active and engage in political life. Politicians in Bosnia and Herzegovina generally follow the party line when it comes to how they voting in parliament (UNDP/UN Women, 2019). According to the participants in this study, this is especially the case for women parliamentarians. One interlocutor, the representative of the civil society sector, did not doubt that invariably female politicians ‘align themselves with the party they come from and with their ethnonational group’ (24S, 2017). She gave an example of the Prime Minister of Republika Srpska, one of the few women who succeeded in being elected in the Entity’s highest executive body: ‘*She is a woman, and that should be very good. But I have never heard her talking about women’s rights, women’s issues, or promoting anything to do with women. She only champions her party issues and interests*’ (24S, 2107). The perception of the majority interlocutors indicated that the weak position of women in the intra-party structures reflects negatively on their abilities to develop a gender-specific political agenda and policies (2C, 2017; 24S, 2017; 24J, 2017; 6S, 2017). One of the interlocutors stated: ‘*There are some female politicians who are taking and seeing gender equality as seriously as it should be, but they are very much minority in our society*’ (18Z, 2017), while a representative of statutory agency reflected: ‘*I believe that only a small percentage of women politicians are interested in gender equality and in furthering the rights of women. Even when they are politically active, women very rarely address issues of women’s inequality*’ (2C, 2017).

It is considered that usually, parties that have more democratic internal structure and adhere to transparent candidacy procedures are more likely to put forward women candidates (UNDP/UN Women, 2019) however the limited focus on gender equality issues in party documents and the limited access of women to positions of influence in the political parties suggest that irrespective of the number of women candidates they decide to run the parties are not space were women have significant agency or can promote policy and practices to enhance their status.

## **The Impact of Ethnic Cleavages on the Representation of Women across Parties**

Party systems that have integrated mechanisms that guarantee the representation of women, such as candidate lists gender quotas represent a significant advantage for women. Some scholars believe that even when clear mechanisms securing the representation of women are not explicitly put into place, a structured and transparent procedure for candidate selection can create advantages for women (Matland, 1998; Ballington and Matland, 2004). On the other hand, weak internal party structure and unclear candidate recruitment procedures allow the party elites, usually men, to choose candidates leaving women outside this ‘all-boys’ network (Matland and Montgomery, 2003). In Bosnia and Herzegovina, although there are candidate lists gender quotas in existence, parties are allowed almost unrestricted decision-making processes (Avdic-Kusmus, 2016).

Ethnonational political parties (SDA, HDZ BiH, and SDS) that played a crucial role in leading Bosnia and Herzegovina into conflict continue to dominate in the post-war political system of this polity. The continuous presence of these parties in the centre of the country’s political system indicates the existence of a strong ethnonationalist discourse, which gives primacy to ethnicity over any other group identities, including gender. According to Dzihic-Weiser (2011: 1805):

*‘In the context of kind of politics, a preference for collective representation strips the category of citizens of any legitimacy and leads to a situation in which constitutional and institutional discrimination pervades virtually all public life. Such a deeply internalized form of discrimination creates a fertile ground for a deepening of differences, maintaining negative tension and therefore utilising ‘ethnicity’ for political purposes’.*

Parties play a significant role in the political representation of women in political institutions created by the Dayton Peace Agreement. Boric (2004: 5) argues that regardless of ‘political orientation, women are discriminated against even within their own parties’.

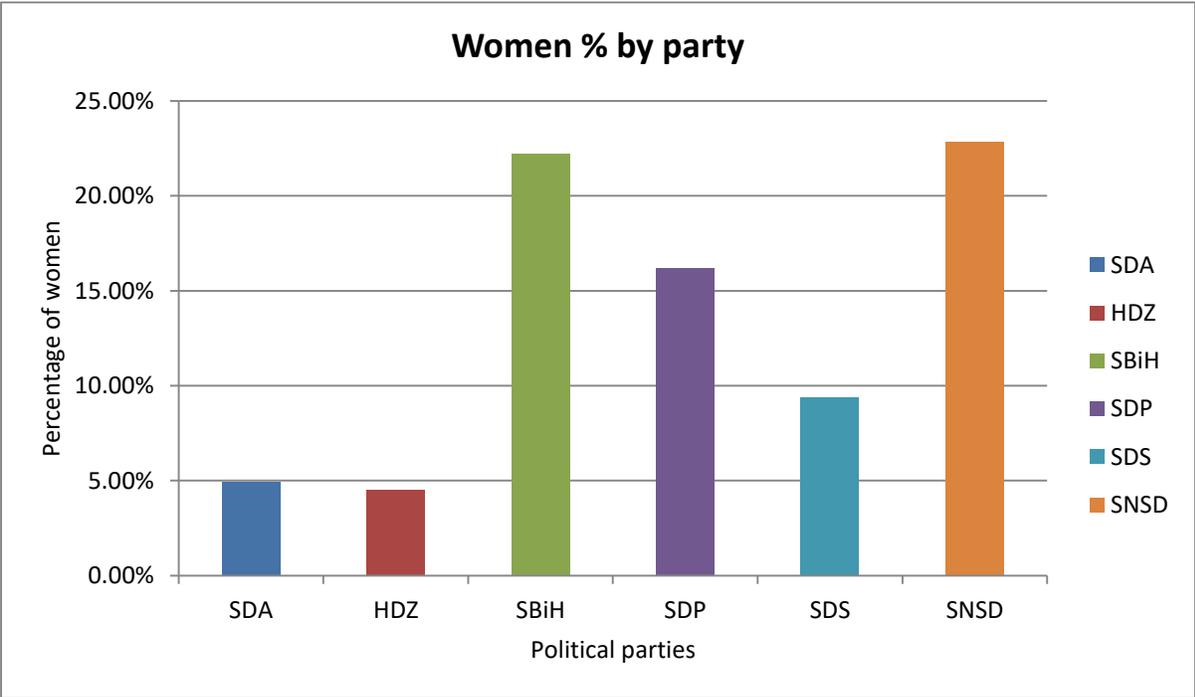
*Table 4.3. Women in the state level House of Representatives across the main parties 1996-2018*

Election	SDA		HDZ BiH		SBiH		SDS		SDP		SNSD	
	Total	W	Total	W	Total	W	Total	W	Total	W	Total	W
<b>1996</b>	19	0	8	0	2	1	9	0	*	*	-	-
<b>1998</b>	*	*	6	1	*	*	*	*	4	1	-	-
<b>2000</b>	8	0	5	0	5	1	6	0	9	1	-	-
<b>2002</b>	10	2	*	*	5	1	5	1	4	0	3	0
<b>2006</b>	9	0	*	*	8	2	3	0	5	1	6	2
<b>2010</b>	7	0	3	0	2	1	4	1	7	2	7	2
<b>2014</b>	10	1	*	*	0	0	5	1	3	0	6	2
<b>2018</b>	8	1	*	*	0	0	*	*	5	1	6	1

Data demonstrated in Table 4.3 indicates that ethnonationalist parties, have lower numbers of women amongst their elected representatives. This is quite apparent in the case of two ethnonationalist parties from the Federation of Bosnia and Herzegovina, namely the SDA and the HDZ BiH parties. The SDA party, representing the Bosniak corpus, having won a considerable number of seats on seven occasions, have elected women only three times, at the general election in 2002, 2014 and 2018. HDZ BiH representing Croats had the worst performance, with only one woman represented in the post-Dayton House of Representatives, even though it won seats independently at four post-war elections. HDZ BiH won seats as a member of different coalitions on four occasions, more than any other significant parties considered in this thesis. At the general election in 2018, the Croatian coalition has won five parliamentary seats, one of which was a woman. All five representatives who won seats were from HDZ BiH party. The Serb ethnonationalist party of SDS has demonstrated slightly better performance, having women

represented on four out of six times winning seats at the national level, even though the numbers of representatives elected from this party, in general, were much lower than for example that of the Bosniak SDA party. Party for BiH (SBiH) have won seats at five post-Dayton elections independently. They have elected women each time they won parliamentary seats. The last two elections in 2014 and 2018, this party did not win any seats in the House of Representatives at the state level. The two social democrat parties the SDP from the Federation of Bosnia and Herzegovina and the SNSD from Republika Srpska performed better. The SDP has women elected five times in six general elections they independently won representation in the National Parliament, while the SNSD won seats at a national level on four occasions and have elected women on all occasions. The number of women amongst the SNSD’s representatives is higher than that of the SDP party.

Figure 4.2. The percentage of women represented at national level by party 1996-2018



According to the representation of women at a national legislative level, the party with the most women elected is the SNSD (Figure 4.2.). This is also the only party that had a woman amongst its representatives to the National Parliament at every election since 2006. Data presented in Table

4.3 shows that ethnonationalist parties are less likely to have women parliamentarians. Boric (2004) however, argued that parties do not give enough support to their women candidates and do not promote gender equality regardless of their political stance. Similarly, both male and female politicians interviewed for this study, even though they come from a different side of the political spectrum, perceived how political parties influence the representation of women as something not quite positive. The majority of interviewees agreed that political parties do not encourage women's candidacies and once women are on the candidate lists, parties do not give them a sufficient support during election campaigns (10M, 2017; 9V, 2017; 18R, 2017; 1O, 2017; 14P, 2017; 14D, 2017; 6S, 2017; 13H, 2017; 13C, 2107; 16P, 2017; 18Z, 2017; 28Z, 2017; 1B, 2017; 2C, 2017). Some interviewees, on the other hand, have perceived their own parties as supportive of their candidacy and candidacies of other women in the party (24J, 2017; 17Z, 2017; 2S, 2017).

#### *Society's Perception of the Capacity of Women Representatives to Protect Vital National Interest*

Veto powers are not limited only to divided societies based on power-sharing peace arrangements. These powers have been used throughout history from ancient Rome to modern democratic institutions in the contemporary political systems (McEvoy, 2013). Mutual veto powers are one of Lijphart's (1977) pillars of consociationalism, designed to protect the vital interest of the main groups in a post-conflict setting, by providing each group with a guarantee of political protection. This tenet of consociationalism in the literature is described as the crucial aspect of power-sharing democracies, having the potential to motivate and enhance the political elite's co-operation (McEvoy, 2013, Choudhry, 2008). Mutual veto powers in Bosnia and Herzegovina are described in the literature as one of the 'most striking features' of this consociational society (Merdzanovic, 2015:178). Constituent peoples in Bosnia and Herzegovina, according to Merdzanovic (2015: 178), can avail of three types of mutual veto powers. The first one is 'Entity voting', which means that passing of any laws in the Parliament entails, not only the overall majority but also at least one-third of representatives' votes from each Entity. Secondly, every decision must be accepted by the majority of both Houses of Parliament. This gives every group right to veto any legislation they do not agree with, through the higher house of Parliament, namely, the House of Peoples. The

third type of veto powers lies in the protection of the ‘vital national interest’ of each group.<sup>26</sup> This feature of consociationalism allows main ethnonational groups in a divided society, in case of Bosnia and Herzegovina the constituent peoples of Bosniak, Serb and Croat to, in case of any decision or legislation, invoke the protection of national vital interest clause through the House of Peoples. This entails the formation of a joint commission with the task to find a compromise. If the compromise is not reached within five days, the case is forwarded to the Constitutional Court, turning the political process into a judicial decision (Merdzanovic, 2015; McEvoy, 2013; Bieber, 2012).

While veto powers are being often used by the three ethnonational groups, the protection of vital national interest have been invoked only a handful of times (Bieber, 2012). This is partly due to the fact that ethnonational elites have other veto powers, particularly ‘Entity voting’, which provides much less complicated and easier alternative to block legislation (Bieber, 2012; Merdzanovic, 2015). Also, veto powers as well as the protection of the ‘vital national interest’ are both quite discriminatory. Dzijic-Weiser (2011) described the ethnonationalist discourse in Bosnia and Herzegovina giving precedence to ethnicity over citizenship as institutional discrimination of citizens since only members of the three major ethnicities in this country can impose this veto or file for protection of the ‘vital national interest’. This resulted in members of other ethnic groups and citizens being forced to argue their cases and fight for their rights at The European Court of Human Rights. Apart from the most famous Sejdic-Finci, there is also a much less mentioned Zornic Vs Bosnia and Herzegovina case, which highlight the problems of ‘non-ethnic’ citizens of this country. In 2014, The European Court of Human Rights (ECtHR) ruled in favour of Azra Zornic’s complaint ‘of her ineligibility to stand for election to the House of Peoples and the Presidency of Bosnia and Herzegovina because she does not declare affiliation with any of the ‘constituent people’ (ECtHR, 2014)’. In his analysis of the ECtHR’s rulings of the Sejdic-Finci case, Bieber (2012: 7) states that the exclusion of non-constituent peoples from these two bodies is a discriminatory practice and continues that this could have been ‘*justified in the immediate aftermath of the conflict but can no longer be upheld*’. He explains that ruling extended

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<sup>26</sup> A proposed decision of the Parliamentary Assembly of BiH in the House of Peoples can be declared destructive to the vital national interest of the Bosniak, Croat, or Serb people by a majority votes from the Bosniak, Croat or Serb delegates. Such a proposed decision has to be approved by the House of Peoples by a majority of Bosniak, Croat, and Serb delegates who are present and voting (<https://www.parlament.ba/Content/Read/39?title=Vitalninacionalniinteres>).

also to ‘*citizens who neither identify with the three constituent peoples nor are members of national minorities*’. They cannot run for the Presidency or be represented in the House of Peoples, regardless of motives to declare themselves as citizens and ‘*Whether these citizens merely reject an ethnic identification for personal reasons or are unable or unwilling to identify along these categories due to the parentage of different national background is irrelevant*’ (Bieber, 2012: 7). The second group whose rights to be elected or represented in either of these state-level bodies are Serbs from the Federation of Bosnia and Herzegovina and Bosniaks and Croats from Republika Srpska (Bieber, 2012). This also summarises both the complexity and importance that protection of ‘vital national interest’ has as a feature of the consociational system in Bosnia and Herzegovina. This made the asymmetric Federation of Bosnia and Herzegovina even more complicated in comparison to other federal systems, considering that in this case, the House of Peoples has almost the same powers as the House of Representatives (Bieber, 2012). On top of this, the Constitution is referring to the peoples of Bosnia and Herzegovina as either ‘constituent peoples’ or ‘Others’, without making a clear definition who ‘Others’ are, often conflating all other categories in society (Bieber, 2012). The perception of complexity surrounding the protection of vital national interest was evident in the interviews conducted for this study.

The procedure for electing candidates to House of Peoples of Bosnia and Herzegovina is stipulated by the Electoral Law in Bosnia and Herzegovina as outlined earlier in the study. The complexity of the way in which delegates are chosen for this house of national Parliament adds to already a complicated political system. Having this in mind, the fact that the people of Bosnia and Herzegovina perceive their political and election system as the most complicated in the world is not surprising. Apart from this, a large majority both men and women interviewed for this study, demonstrated a perception that neither political parties nor society, in general, have a confidence in the ability of women to protect a ‘vital national interest’.<sup>27</sup> One of the female politicians believed that this is particularly evident in smaller communities stating that ‘*...if I am to talk about my experience, I must say that in my community there is no confidence in women, especially when the vital national interest is in question...so in smaller communities prevails opinion that woman is not the most competent to represent and protect vital national interest*’ (10M, 2017).<sup>28</sup> Other

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<sup>27</sup> Interviews(2017): 10M; 24J; 28Z; 29P; 2S; 18Z; 9V; 14D; 16P; 13C; 1B; 1O; 1A; 18R; 6S; 24S; 29K; 13H

<sup>28</sup> Interview with a woman politician (b) held on the 15<sup>th</sup> of March, 2017

interviewees were of the opinion that ‘*our society has no confidence in politicians generally because we live in a corrupt political and judicial system.....or...I think that politicians, in general, did not defend the vital national interest up until now, because if they did, we would not be in such a difficult situation now*’ (14D, 2017; 1A; 2017). However, they both also stated that ‘*women are much more responsible at work and have much higher sensibility when engaging with different social issues as well as being better diplomats, so the confidence in women politicians should be higher than in male politicians*’ (14D, 2017; 1A, 2017). One of the representatives of state organisations drew attention to the lack of gender quotas or any other legal requirements to have women represented in the House of Peoples, where the ‘vital national interest’ is defended, saying that ‘*In this country, we have the House of Peoples, where representatives are delegated and there isn’t a law or a rule to say that we must have a certain percentage of women there. Reserved seats proved to be a success in some African countries, and I think that could work here as well*’ (13H, 2017).<sup>29</sup>

An interesting observation has been made by one male interviewee ‘*....the right question here should be if party leaders, not the people, have the confidence in women to defend the vital national interest*’ (6S; 2017).<sup>30</sup> Here, according to the perception of the interviewees, the vital role of delegating to this House of Parliament level is played by the political party leadership. One the women delegates to the House of Peoples (17Z, 2017), who had a positive experience with her party leadership expressed her gratitude to her party leadership and pointed out that she was chosen to be a delegate to this institution, purely thanks to her party leadership who put her name forward. The perception of the majority of women about the House of Peoples is that delegating to this institution depended almost entirely on the ‘goodwill’ of their party leaders (17Z, 2017; 2S, 2017; 28Z, 2017).

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<sup>29</sup> Interview with one of the state agencies' representatives (a) held on the 17<sup>th</sup> of November, 2017

<sup>30</sup> Interview with the representative of one of the state's Parliamentary Commissions held on 21<sup>st</sup> of December, 2017

*Table 4.4. Women in the National level House of Peoples 1996-2018*

Year	Total Delegates	Women Delegates
1996	15	0
1998	15	0
2000	15	0
2002	15	1
2006	15	2
2010	15	2
2014	15	2
2018	15	3

After the most recent general elections, three women were delegated to this house of state parliament two belonging to the Croats corpus, from the HDZ BiH party and one Serb member from the SNSD party. If we look at the total number of women delegates to this institution in Post-Dayton BiH, five of them were Croats, three Serbs and two Bosniak. If the numbers demonstrated in Table 4.4. are taken into considerations, is it safe to say that parties and party leaders do not show a high level of confidence in women to be represented in the House of Peoples of Bosnia and Herzegovina, the institution where the national vital interest of each constituent people are being defended? The total absence of women at the first three post-war delegations, followed with low numbers in all subsequent compositions of this House of Parliament, indicate an affirmative answer to this question.

## **Women's representation at National and Entities' Levels in Bosnia and Herzegovina in the Context of Electoral Changes**

After the 2018 general elections, the number of women in the Lower House of Parliament in Bosnia and Herzegovina remained below the average of the European-OSCE region (IPU Parline, 2019). The average of women's representation in the single or lower houses of representation in Europe-OSCE member countries stands at 27.3%, while the average of the representation of women in post-Dayton Bosnia and Herzegovina is 15.2%. (IPU Parline, 2018). From the 2000 general elections, the number of women in the House of Representatives in Bosnia and Herzegovina rose from 4.8% in 2000 to 21.4% at the most recent general elections in 2018. Some studies concerning women's representation in the OSCE region (OSCE, 2016; Sandstrom, 2013), argue that the rise in numbers of women in national parliaments does not guarantee the rise in the number of women representatives in sub-national legislative bodies. This finding could be explained by the fact that internationally (OSCE, 2016), the majority of observations and discussions focus on the state level, while lower levels of legislature receive much less attention, even though most of the decisions that affect everyday life are made by the local governing bodies. The differences between national and sub-national levels of representation will be more closely looked at in this chapter.

The institutional structure put in place by the consociational peace settlements turned Bosnia and Herzegovina into a highly decentralised state (Merdzanovic, 2015). The decentralisation of the country's highest governing bodies allowed the sub-national levels of government, namely the two entities of the Federation of Bosnia and Herzegovina, and Republika Srpska, political structure of states (Merdzanovic, 2015; Gavric, Banovic and Barreiro, 2013), by devolving around 80% of governmental responsibilities and powers to the Entity level (Merdzanovic, 2015). Having explained this complex political and administrative structure in previous chapters, this part of the study will examine in more detail its impact on the trajectory of women's representation in political structures in the post-conflict era.

Table 4.5. Percentage of women at National and Entity levels of legislature<sup>31</sup>

<b>House of Representatives of Parliamentary Assembly of Bosnia and Herzegovina</b>															
<b>1996</b>		<b>1998</b>		<b>2000</b>		<b>2002</b>		<b>2006</b>		<b>2010</b>		<b>2014</b>		<b>2018</b>	
<b>No</b>	<b>%</b>	<b>No</b>	<b>%</b>	<b>No</b>	<b>%</b>	<b>No</b>	<b>%</b>	<b>No</b>	<b>%</b>	<b>No</b>	<b>%</b>	<b>No</b>	<b>%</b>	<b>No</b>	<b>%</b>
1/42	2.4	11/42	26.2	2/42	4.8	6/42	14.3	6/42	14.3	7/42	16.7	9/42	21.4	9/42	21.4
<b>House of Representatives of Parliamentary Assembly of the Federation of Bosnia and Herzegovina</b>															
<b>1996</b>		<b>1998</b>		<b>2000</b>		<b>2002</b>		<b>2006</b>		<b>2010</b>		<b>2014</b>		<b>2018</b>	
<b>No</b>	<b>%</b>	<b>No</b>	<b>%</b>	<b>No</b>	<b>%</b>	<b>No</b>	<b>%</b>	<b>No</b>	<b>%</b>	<b>No</b>	<b>%</b>	<b>No</b>	<b>%</b>	<b>No</b>	<b>%</b>
7/140	5	21/140	15	22/140	15.8	16/80	20	29/98	29.6	21/98	21.4	25/98	25.5	27/98	27.6
<b>National Assembly of Republika Srpska</b>															
<b>1996</b>		<b>1998</b>		<b>2000</b>		<b>2002</b>		<b>2006</b>		<b>2010</b>		<b>2014</b>		<b>2018</b>	
<b>No</b>	<b>%</b>	<b>No</b>	<b>%</b>	<b>No</b>	<b>%</b>	<b>No</b>	<b>%</b>	<b>No</b>	<b>%</b>	<b>No</b>	<b>%</b>	<b>No</b>	<b>%</b>	<b>No</b>	<b>%</b>
2/83	2.40 <sup>32</sup>	21/83	25.3	17/83	20.5	21/83	25.3	23/83	27.7	20/83	24.1	15/83	18.1	18/83	21.7

<sup>31</sup> Sources for the data in Table 6.1 is the combination of data published at IPU PARLINA database and authors own data collected by analysing the post elections archives published on the Central Commission of Bosnia and Herzegovina's website. [www.izbori.ba](http://www.izbori.ba)

<sup>32</sup> Source: The CEDAW Bosnia and Herzegovina Report 2005

Table 4.5 shows how the percentage of women changed over the first three elections, which demonstrates that there was no political party impetus to elect women. Changes in the electoral system caused fluctuation. There was relative stability in the form of a trend towards improvement in both state level and both Entity levels. The table above contains not only percentages and numbers of women represented at different levels of the legislature, but also the number of representatives elected to those political bodies. This is to demonstrate that changes occurred not only in the number of women represented, but also in the number of delegates elected to different bodies after each election. For example, the House of Representatives of the Federation of Bosnia and Herzegovina had 140 representatives after the first three post-war elections. This number was reduced significantly at the first ‘real transitional elections’ in Bosnia and Herzegovina (OSCE, 2002), held in 2002, which were run by the local authorities, but still placed within a legal context determined by the international community (OSCE, 2002:1). Also, at these elections, for the first time, all national and subnational bodies were elected for a four-year term.

The number of women representatives at different levels of the government legislature across all eight post-war elections showed signs of oscillation. The most notable changes in numbers of women representatives occurred between the first and second post-war elections. This sharp rise in numbers could be attributed to the introduction of the candidate list gender quotas by the OSCE at the 1998 elections. During the first post-war election in 1996, there had been no quotas and candidate lists were open, while the 1998 elections, apart from the obligatory gender quotas, also saw the introduction of closed candidate lists. The regulations stipulated that political parties must have a quota of at least 30% of the less-represented gender on their candidate lists. At the same time, closed candidate lists were introduced, which resulted in record numbers of women represented at the national level of the legislature, rising from only 2.4% in the 1996 general election, to 26.2% in 1998. After the last general elections in 2014, even though changes to the Election Law in Bosnia and Herzegovina in 2003 increased candidate lists’ gender quota to 40%, the percentage of women elected in the national House of Representatives stands at only 21.4%. Considering this, Bosnia and Herzegovina is not an exception to other post-socialist states. Several authors considered the issue of gender quotas in post-socialist and post-communist countries after the fall of the Warsaw Pact (Moser and Scheiner, 2012; Krook, 2009; Moser, 2001). Most agree that the introduction of candidate lists, gender quotas, closed electoral lists and the proportional

representation (PR) system are most effective in increasing numbers of women in legislative bodies (Matland, 2005).

Examining the trajectory of women's political representation in the Parliaments of the countries which became independent after the dissolution of SFRY, and Czechoslovakia, together with the former socialist republics shows similar patterns of change over time (see Table 4.6.).

*Table 4.6. Percentage of Women in the National Parliaments of the post-socialist CEE and Western Balkan Countries*

	<b>1986</b>	<b>1996</b>	<b>2006</b>	<b>2019</b>
<b>Albania</b>	29.2	12.1	7.1	29.5
<b>Bulgaria</b>	21	13.3	20.8	26.8
<b>Bosnia and Herzegovina</b>	20.5 (SFRY)	2.4	14.3	21.4
<b>Croatia</b>	20.5 (SFRY)	7.8	17.8	20.5
<b>The Czech Republic</b>	29.4 (C-S)	15	15.5	22.5
<b>Hungary</b>	21	11.1	10.4	12.6
<b>Kosovo</b>	20.5 (SFRY)	5.1 (FRY)	30	31.7
<b>Montenegro</b>	20.5 (SFRY)	5.1 (FRY)	8.6	23.5
<b>Poland</b>	20.2	13	20.4	29.1
<b>North Macedonia</b>	20.5 (SFRY)	3.3	27.5	39.2
<b>Romania</b>	34.4	7.3	11.5	14
<b>Serbia</b>	20.5 (SFRY)	5.1 (FRY)	7.9	37.7
<b>The Slovak Republic</b>	29.4 (C-S)	14.7	16	20

<b>Slovenia</b>	20.5 (SFRY)	7.8	12.2	10
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\*Source: IPU Parline; LaFont(2001)

Under socialism all of the countries 20% or more members of parliament who were women, with three countries at just under 30%. By 1996 this situation had radically altered with 8 of the 14 state at below 10%, with Bosnia and Herzegovina the lowest at 2.4% and the Czech Republic the highest at 15%. By 2006, under the impact of the spread of quotas as an international norm this position had begun to change (Dahlerup, 2006; Hughes et al., 2015; Rashkova and Zankina, 2017). Kosovo is the highest at 30% following the introduction of quotas as part of the implementation of the Rambouillet Peace Agreement. Northern Macedonia is the next highest at 27.5% also as a result of the implementation of at consociational peace agreement, the Ohrid Framework Agreement signed in 2001. Six other countries improved the level of women’s political representation while the remaining six either were virtual static or slipped backwards. Bosnia Herzegovina was at 14.3% following it limited implementation of quotas. By 2019, with the exception of Hungary, Romania and Slovenia, the level of women’s representation had taken a further jump as quota were refined and embedded into the political systems (LaFont, 2001; IPU Parline). Women’s representation at this level had also risen to over 20% as quotas were more effectively implemented. The average political representation of women in the lower houses of parliaments in the world stood at 24.6% in 2019 meaning that although Bosnia Herzegovina was still below that average five other states in this category were significantly above this figure (IPU 2019). In Bosnia Herzegovina, as throughout South Eastern Europe, women’s groups pushed the ethnonational political elites to include women in the public and political life (Rashkova and Zankina 2017: 380). A key aspect is that this was achieved was through the Stability Pact for Southeastern Europe and the Gender Task Force which were active from 1999–2008, these frameworks gave women’s groups a way in formal political structures (Rashkova and Zankina 2017: 380). At this time non-governmental organisations (NGOs) working on women’s issues, and supported by the international community, played the key role in promoting gender quotas in the Region.

Even though the 30% candidate quotas introduced at the second post-war general elections in 1998, stipulated that one of the first two candidates, two among the first five, and three among the first

seven candidates must come from the ‘less represented sex’, this did not give much advantage to women candidates at the 2000 general elections. As suggested in the literature, the PR electoral system and open lists are more conducive to the more popular and recognisable candidates, which are usually men (Aganovic, Miftari and Velickovic, 2015; Dahlerup and Freidenvall, 2005; Matland 2005). And in this instance, the steep drop in numbers of women representatives, demonstrate a backlash against women. In their study, Aganovic, Miftari and Velickovic (2015:52) state: ‘...the introduction of the open lists was almost a counter-attack from men who organised only their campaigns...men primarily campaigned in a way that makes them hyper-visible in the media’.... unlike female candidates from their own parties, who often felt unsupported. An indicative example of this was recorded during an interview with one of the female candidates at the 2014 general elections (28Z, 2017) who described her experience during the electoral campaign as bad and that it made her feel like she had to ‘fight her own party as well as other candidates’ claiming that the electorate would not be aware of her contesting elections if it was not for her making her own posters and flyers. She lamented: ‘...my students went around town in the small hours of the morning putting them up. It was that bad. I felt like I was doing something wrong’ (28Z, 2017).

Referring to Table 4.5. and the 2000 general elections, the re-introduction of the open candidate lists resulted in a significant decrease in the number of women elected to the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina. According to some authors, this could be explained by the way in which open candidate lists, being disadvantageous to women candidates, influence the election of women. They argue that the opportunity in promoting women, given by open lists to some voters, is often outweighed by the opportunity for other voters to ‘demote’ women candidates (Boric, 2004; Ballington and Matland 2004). Ballington and Matland (2004: 6) state:

*‘In countries with conservative views about the role of women, voters with traditional views may use this to lower the women’s names on a party list’*

As 42-member House of Representatives at the state level is composed of 28 members from the Federation of Bosnia and Herzegovina and 14 from the Republika Srpska the electoral changes in

1998 and 2000 influenced the number of women elected to the state level from each Entity. After the 1998 elections, five women elected to the House of Representatives came from the Federation of Bosnia and Herzegovina, while six of them came from the territory of Republika Srpska. After the 2000 elections, on the other hand, there were no women elected to the House of Representatives from Republika Srpska, while the only two women who won seats in this House of Parliament, came from the Federation of Bosnia and Herzegovina (Central Election Commission, 2018). Looking at the sub-national levels of government, after the re-introduction of open lists at the 2000 general elections, it is worth noting that such a sharp fall in numbers of the representation of women at the state level was not replicated at the level of Entities. While Republika Srpska saw a decrease in women represented in its National Assembly by 5.4%, the Federation demonstrated an increase in the women elected to the Federal House of Representatives by 0.8% (see Table 4.5.).

Unlike the first three post-war general elections, which were conducted with the significant influence and under the patronage of the OSCE, the general elections in 2002 were the first elections fully administered and conducted by the government of Bosnia and Herzegovina. These elections were also the first ones following the adoption of the Election Law of Bosnia and Herzegovina in August 2001, which stipulated 30% of gender quotas on the candidate lists and the open candidates' lists (Boric, 20014). The number of women represented at the national levels rose by almost 10%. There was an increase of 2.5% in female representation in the Parliament of the Federation of Bosnia and Herzegovina, while the Assembly of Republika Srpska showed a very small increase of 0.3%. From 2006 to 2018 the political representation of women at the national level remained the same or showed a slight increase. The level of representation at the two Entities, however, differed from each other. The number of women in the House of Representatives of the Federation of Bosnia and Herzegovina followed the trend of the state-level increasing from 17.3% in 2010 to 22.4% in 2014 and again to 27.6% in 2018. In Republika Srpska, however, the number of women in the National Assembly in 2010 fell from 24.1 % to 18.1 % in 2014, while elections in 2018, there was an increase of 3.6 % in the number of women elected to the National Assembly, to 21.7%.

The data shown here demonstrates that the representation of women at the national and the Entity levels of government in post-Dayton Bosnia and Herzegovina reacted differently to electoral

changes, and with candidates lists gender quotas in existence since the second post-war election in 1998.

### **Women in Position of Leadership at National, and Entities levels**

While the numbers of women in legislative bodies of post-Dayton Bosnia and Herzegovina are generally quite low, the representation of women in the executive bodies is even less satisfactory. After the elections in 2018, at some executive levels of government women are underrepresented, while at other levels they are entirely unrepresented, holding just a few decision-making positions (Cancho and Elwan, 2015, Aganovic, Miftari and Velickovic, 2015).

The places in the executive bodies of the government are frequently reserved for men, with the ruling elites rarely deciding to appoint women to these positions (Aganovic, Miftari and Velickovic, 2015). Starting from the top level of the executive in Bosnia and Herzegovina, not one woman has been elected a member of the tripartite collective Presidency since the Dayton Peace Agreement. Considering all eight post-settlement elections, there have been only nine women candidates for this position, of which only two, Zeljka Cvijanovic contesting the 2014 elections as a candidate for Serb Member of the Presidency and Borjana Kristo in 2010 as a candidate for Croat member of the Presidency of Bosnia and Herzegovina, came close to being elected (Aganovic, Miftari and Velickovic, 2015). In the Council of Ministers, which is, as described in earlier chapters, effectively the Government of Bosnia and Herzegovina, since the last general elections in 2018, among the ten members of the Council, there are only two women Ministers. Their portfolios include the Ministry of Foreign Affairs and Ministry of Civil Affairs . There are no women deputy Ministers in this assembly of the Council of Ministers (Agency for Statistics BiH, 2019). Historically, in the post-settlement era, this level of executive branch did not perform well considering the representation of women, having only six women Ministers and ten women deputy Ministers in its seven terms of governing the country (Agency for Statistics BiH, 2019).

The representation of women in executive bodies at the sub-national level of government in Bosnia and Herzegovina is not much better than at the national level. In the two Entities, the Federation of Bosnia and Herzegovina and Republika Srpska, only a few women were promoted to the leadership positions. In the Federation of Bosnia and Herzegovina, there have been only one President and one Vice-President from 1996 to 2015, while only six women held ministerial positions in the period 1998 - 2014. In the Government session 2014 - 2018, women are in charge of four Ministries including Ministry of Finance, Ministry of Education and Science, Ministry of Culture and Sport and Ministry of Environment and Tourism (Institute for Statistics FBiH, 2016). Even though the representation of women in legislative bodies in Republika Srpska is slightly lagging behind the Federation of BiH, in the executive branch it is performing better. Zeljka Cvijanovic, the President of Republika Srpska, is the only woman in the post-Dayton era who was awarded the highest leadership position at this level of government. In the period from 1996 to 2018, twelve women were promoted to the ministerial positions in this Entity (Agency for Statistics BiH , 2019).

## **Conclusion**

More than twenty years after the Dayton Peace Agreement, the political scene in Bosnia and Herzegovina is still dominated by the major ethnonational parties, some of which had direct political involvement in the 1992-1995 war. The large number of political actors contesting elections, including the most recent elections in 2018, demonstrates the persistent fragmentation of the political system in this post-conflict, consociational society. While this fragmentation and fluidity of the political system is a common occurrence in post-socialist societies (LaFont, 2001; Morokvasic, 1997), it could also be maintained by the institutionalisation of the Dayton Peace Agreement. The observed improvement in women's representation after the 2018 election is a result of 2016, amendment of the Election Law, which enhances the impact of gender. This was a long-awaited reform as previously aspect of the way in which gender quotas were implemented frustrated the aims of the policy as it appeared on paper. It could also be argued that the high fragmentation of the party system and appearance of new political options is a consequence of voters' dissatisfaction with high levels of corruption, economic insecurities, high unemployment, and ineffective administration (NDI, 2014).

The fragmentation of the political system disadvantages women. A large number of smaller parties contesting elections frequently means less chance for women winning seats, considering that the candidates at the top of the lists are party leaders, which are usually men. The ethnic divisions are considered as one of the major hurdles when it comes to the political representation of women in post-Dayton Bosnia and Herzegovina, both because they are more likely to embrace traditional gender values and the importance place on the protection of vital national interest at every level of the consociational institutions. Both party elites and society, in general, perceive women as less capable of defending core ethnic interests and of making use of this major mechanism that protects the interests of ethnonational groups. Not surprisingly it is also clear that parties organising on socio-democratic principles are more likely to elect women than parties with an ethnonational agenda. Although individual women politicians are active representatives and display a high level of individual agency, the actual structures of the state inhibited them from advancing in the political structures, including party structures. As they lack a personal power base the only way they can get into politics is by adopting the priorities of their electorate and this inhibits the development of an equality agenda.

## **Chapter 5. Impact of Political and Societal Factors on Women's Representation in Cantons in Bosnia and Herzegovina**

### **Introduction**

This chapter analyses the representation of women in political institutions at lower levels of the legislature in the Federation of Bosnia and Herzegovina (FBiH), namely at the level of Cantons, by exploring the influence of political, ethnic, societal and ideological factors on the representation of women in Cantonal Assemblies. The Cantonal level of government was established by the Washington Peace Agreement, and in the governing hierarchy of the country, the Canton is between the sub-national level of the Entity of the Federation of Bosnia and Herzegovina and the local, municipal government. Cantons are given extensive powers and responsibilities, as well as geopolitical autonomy, as a tool for the protection of the 'vital national interests' of the two ethnonational groups, Bosniaks and Croats, who make up the majority of the population. Cantons have authority over a wide range of policy areas including the police, education, culture, housing, public services, energy production, and social welfare services. There are also some areas for which the federal and Cantonal governments have a shared responsibility, these include health, environmental policy, infrastructure for communications and transport, social welfare policy, citizenship laws, immigration and asylum, and the use of natural resources (USIP, 2000: 3). Each Canton has executive authority, a legislature and a judiciary. The executive authority is comprised of the president, the government and the police. The legislature of each Canton is directly elected on a proportional basis in the Canton as a whole, while the fact it has a judiciary means that each Canton has courts responsible for appeals from the municipal courts (USIP, 2000: 5). In effect the Cantons are organised as mini-states with a similar range of powers and responsibilities. This means that elected positions are strongly contested as the governments of the Cantons have real power (USIP, 2000: 5). It is therefore an important level at which to examine the factors that impact of the level of women's representation.

Although the local, and municipal level of government in the two Entities the Federation of Bosnia and Herzegovina and Republika Srpska are different in their administrative and governing structure they are both underperforming in terms of women’s representation (Cancho and Elwan, 2015). After the 2016 local elections in the Federation of Bosnia and Herzegovina the representation of women among local Councillors stood at 23.1%, while in Republika Srpska only 16.4% of the Councillors are women (Central Election Commission, 2016). At the local executive level in both entities put together, only 4% of women serve as municipal or city Mayors (Agency for Statistics BiH, 2018).

The consociational structure of the state is clearly demonstrated in the relationship between the ethnic representation in Cantons and the ethnic structure of each Canton (see Map. 5.1.)

*Map 5.1. Map of Bosnia and Herzegovina representing the division into Cantons*



Map 5.1.: Canton 1 (Una-Sana), Canton 2 (Posavina), Canton3 (Tuzla), Canton 4 (Zenica-Doboj), Canton 5 (Bosnia-Podrinje Canton Gorazde), Canton 6 (Central-Bosnia), Canton 7 (Herzegovina-Neretva), Canton 8 (West Herzegovina), Canton 9 (Sarajevo), Canton 10 (10 or Livno).

This chapter examines the relationship between the number of women elected to Cantonal Assemblies across eight post-Dayton elections in Bosnia and Herzegovina and political and societal factors that the literature considers to be important factors, other than quotas, in determining the level of women's political representation. It examines the political factors by considering the impact of party fragmentation on women's representation. Existing literature points to the fragmentation of the political system as having a negative impact on the political representation of women (Kunovich 2003; Matland and Montgomery 2003). The chapter also looks at social factors using the rural-urban divide as an expression of levels of intensity of traditional values. It discusses the impact of economic factors in terms of the level of development. It looks at the impact of potential ethnic tensions using the levels of ethnic homogeneity, assuming that there will be less tension in Cantons where one ethnicity has an overwhelming majority. It also looks at the track record of the significant political parties and their impact on levels of the political representation of women.

### **The Representation of Women in Cantons 1996-2018 and the impact of a fragmented party system**

This section will look in more detail at the Cantonal level of the legislature and women's representation across all post-Dayton general elections in Bosnia and Herzegovina. Even though the configuration of Cantons does not follow the classic structure of power-sharing - since Cantonal Assemblies are composed of representatives directly elected by voters of the Federation of Bosnia and Herzegovina - Cantonal executives are, however, organised on the principles of consociationalism (Keil and Perry, 2015). Article 8 of the Constitution of the Federation of Bosnia and Herzegovina stipulates:

*The organisation of the Cantonal Government shall be decided in accordance with the Cantonal constitution, provided that the Government shall reflect the composition of the population as a whole but in any case, provide for representation of each constituent people' (Constitution of the Federation of Bosnia and Herzegovina, 1994).*

Cantonal geopolitical borders were established with the ethnicity of the majority of the population in each region in mind. This effectively meant that division into Cantons administratively, as well as geographically, separated Bosniaks and Croats, making each group the majority in some Cantons and the minority in others. This division froze the existing ethnic cleavages between the two ethnonational groups, which became most apparent in the two Cantons with the most mixed population. The creation of Cantons in the FBiH was necessary in order to support consociational power-sharing at the higher levels of the legislature. The Federal constitution is based on the principles of consociationalism which, apart from the territorial autonomy given to Cantons, also guarantees the proportional representation of the two main ethnonational groups in all political and executive institutions according to the rule of consensus and the qualified majority (Constitution of the Federation of Bosnia and Herzegovina, 1994). As Kasapovic (2005) states, politically Cantons are arranged as the territorial units of the dominant ethnonational group. This division, she argues, constitutionalises the national-territorial autonomy at the level of the state in the form of entities and at the sub-national level of the Federation of Bosnia and Herzegovina in the form of Cantons (Kasapovic, 2005). The creation of Cantons was a direct result of consociational settlements. They are political and territorial units made up of the dominant ethnonational groups, common to other administrative structures based on consociationalism; leaving very little space for other non-ethnic identities such as gender. At the Cantonal level of governance, not one woman was promoted to the position of the Cantonal Prime Minister and there has been only one woman holding the post of the Cantonal Governor. Mirsad Isakovic, the President of the Gender Equality Committee in the Parliament of Bosnia and Herzegovina talking to 'Avaz', a daily newspaper in September 2015, stated that 'out of 153 Ministers at all levels of executive government, only 23 are women'<sup>33</sup>, maintaining that this is a sign that women in Bosnia and Herzegovina are 'unrepresented and absolutely discriminated against'.<sup>34</sup> He considered that this situation is in

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<sup>33</sup> [www.avaz.ba](http://www.avaz.ba) accessed on the 3<sup>rd</sup> of April 2018

<sup>34</sup> [www.avaz.ba](http://www.avaz.ba) accessed on the 3<sup>rd</sup> of April 2018

breach of the country's Gender Equality Law which stipulates 40% participation of the less represented gender at all levels of government including legislative, judiciary and the executive bodies, which were introduced in 2010 and implemented in 2014 elections (OSCE, 2013). The Cantonal Governments are, according to Isakovic performing particularly poorly where in some cases, such as Zenica-Doboj Canton (Canton 4), not one woman held the ministerial position in the Government.

The implementation of the Dayton Peace Agreement exposed its gendered nature at the very start. The territorial division and the power of decision over the issues of territorial division and autonomy were given exclusively to men (Mlinarevic and Porobic Isakovic, 2015:4). This, coupled with the re-introduction of traditional values in post-war settings, impacted on the role of women in the country's public life, including the political representation of women at the level of Cantons. The representation of women in the Cantonal Assemblies in the post-Dayton Bosnia and Herzegovina is depicted in Table 5.1.

*Table 5.1. Representation of women at Cantonal level of legislature 1996-2018*

Canton	1996		1998		2000		2002		2006		2010		2014		2018	
	No	%	No	%	No	%	No	%	No	%	No	%	No	%	No	%
<b>1</b>	4/50	8	6/50	12	5/30	16.7	3/30	10	5/30	16.7	2/30	6.7	2/30	6.7	9/30	30
<b>2</b>	2/20	10	6/30	20	3/21	14.3	2/21	9.5	2/21	9.5	1/21	4.8	5/21	23.8	5/21	23.8
<b>3</b>	2/50	4	9/50	18	8/35	22.9	7/35	20	4/35	11.4	6/35	17.1	8/35	22.9	14/35	40
<b>4</b>	6/59	10.2	10/50	20	11/35	31.4	8/35	22.9	7/35	20	5/35	14.3	7/35	20	14/35	40
<b>5</b>	1/31	3.2	10/31	32.3	6/25	24	8/25	32	5/25	20	6/25	24	4/25	16	7/25	28
<b>6</b>	5/55	9.1	9/50	18	3/30	10	6/30	20	6/30	20	7/30	23.3	5/30	16.7	12/30	40
<b>7</b>	4/50	8	8/50	16	3/30	10	8/30	26.7	3/30	10	7/30	23.3	7/30	23.3	14/30	46.7
<b>8</b>	1/31	3.2	4/31	12.9	4/23	17.4	6/23	26.1	2/23	8.7	4/23	17.4	7/23	30.4	7/23	30.4
<b>9</b>	4/45	8.9	6/45	13.3	10/35	28.6	11/35	31.4	8/35	22.9	6/35	17.1	7/35	20	11/35	31.4
<b>10</b>	0/15	0	7/30	23.3	3/25	12	5/25	20	2/25	8	1/25	4	1/25	4	3/25	12

\*Canton 1 (Una-Sana Canton); Canton 2 (Posavina Canton); Canton 3 (Tuzla Canton); Canton 4 (Doboj-Zenica Canton); Canton 5 (Gorazde Canton); Canton 6 (Central Bosnia Canton); Canton 7 (Neretva-Herzegovina Canton); Canton 8 (West Herzegovina Canton); Canton 9 (Sarajevo Canton); Canton 10 (Livno Canton)

In the post-war election period, the two major electoral changes that brought the most significant changes in the number of women elected at the Cantonal level of the legislature happened on two occasions. The first time was during general elections in 1998, when the OSCE, after strong pressure from civil society groups that work with gender equality issues, stipulated candidate list quotas and closed candidate lists. These elections have resulted in an extremely sharp rise in the representation of women in the Cantonal Assemblies. In Canton 10, for example, the number of female representatives went from 0% after the first post-war elections in 1996, to 23.3% after the 1998 general elections. Similar results were evident in Canton 5, where women's representation went from 3.2% in 1996, to 32.3% in 1998, presenting a tenfold increase. This significant rise in women's numbers resonated throughout all the Cantons of the Federation of Bosnia and Herzegovina. At this level of the legislature, as it was at the higher, national and Entity levels, the numbers of elected representatives into Cantonal Assemblies were significantly higher after the first two post-war elections. The re-introduction of open candidate lists and a reduction in the number of representatives elected during the 2000 general elections, however, did not have as strong a negative impact at this level of the legislature as it did at the national level (Table 4.5.). Moreover, in 60% of Cantons, the number of women elected was higher than at previous elections in 1996 and 1998.

Following this, the number of women representatives in Cantonal Assemblies continued to oscillate from Canton to Canton and between elections. In some cases, such as Canton 1 and Canton 10, the number of women elected declined and continued to stay in single figures from the 2006 election. From 1996 to 2014, the two most ethnically mixed Cantons, Canton 6 and Canton 7, where ethnic cleavages 'froze' in the post-Dayton consociational political structure, did not perform well as regards women's representation. The number of women in the Cantonal Assemblies changed significantly after changes to the Election Law of Bosnia and Herzegovina were brought again in 2016. Kadribasic (2017: 1), in his analysis of the electoral changes, predicted

that they would have a significant impact on the numbers of women elected to legislative bodies at lower levels of government, including Cantonal Assemblies. According to Kadribasic:

*'According to this rule only those candidates who won more than 20% of votes will be able to move up their list. If not, the mandates will be allocated according to their ranking on the list of candidates. According to this rule, the openness of the list is limited to the 20% threshold.....At this level of governance, the Cantons make the election unit and the impact of the gender quota from the Article 4.19<sup>35</sup> is affected only by the open list system and the number of political parties with elected candidates. The average increase in favour of female candidates' amounts to 16% for all 10 Cantons and the overall participation of women would increase to 34%. The situation would differ from one Canton to another and the assessed percentages would start at 8% and would go as high as 49%' (Kadribasic, 2017: 1).*

The numbers in the Table 5.1. corroborate Kadribasic's estimation. The new amendment of the Election Law, coupled with candidates' list gender quotas and the size of the electoral constituency, has a direct impact on the likelihood of women being nominated and, with that, elected. If parties have the opportunity to nominate more than one candidate, it is more likely that women will be included on the candidate list, rather than if parties can nominate only one candidate per constituency. The other factor impacting on women being elected, apart from district magnitude, is the party magnitude. This means that the number of candidates elected from one party in one electoral district directly impacts the likelihood of women being elected into a particular legislative body (UNDP/UNWomen, 2019). At the Cantonal level, these factors, especially partially closed candidates' lists as well as the size of the electoral district, have significantly impacted on the number of women elected to Assemblies in the 2018 elections. This increase, compared to the percentage of women elected in 2014, differs considerably from Canton to Canton. For Canton 2 and Canton 8, the electoral changes did not have any impact on the number

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<sup>35</sup> Article 4.19, Election Law of BiH: "Each list of candidates shall include both male and female candidates, who are equally represented. Equal gender representation exists when one of the sexes is represented by at least 40% of the total number of candidates in the list. The candidates of the underrepresented gender shall be distributed on the candidates list in the following manner: At least 1 candidate of the underrepresented gender amongst the first 2 candidates, 2 candidates of the underrepresented gender amongst the first 5 candidates, and 3 candidates of the underrepresented gender amongst the first 8 candidates etc."

of women elected at previous elections in 2014. The percentage of women in Canton 2 remained 23.8% and in Canton 8, 30.4%. Canton 10 demonstrated an increase of 4%, while for example in Canton 1, the percentage of women elected in the Assembly more than quadrupled from 6.7% in 2014 to 30% in 2018. During the period 1996-2014, Cantons 6 and 7 - the two Cantons with strong ethnic cleavages - never even came close to electing women in the numbers stipulated by the gender quota of either 30%, introduced in 1998, or the later one of 40%. After the amendments to the Election Law in 2016, Canton 7 elected the highest number of women, while Canton 6 also reached the 40% figure, which is the minimum determined by the candidate lists' gender quotas. Of the eight Cantons that have demonstrated an increase in the number of women in their assemblies, four of them have exhibited an increase of 20% or more, while three Cantons elected more women by between 11% and 20%. Canton 10 is the only Canton registering the increase in a single digit.

The representation of women in Cantonal Assemblies elected in the post-Dayton period of the Federation of Bosnia and Herzegovina, as Table 5.1. demonstrated, oscillate from Canton to Canton and between elections. The one thread that can be followed is that Canton 2 (Posavina Canton), with a historically low representation of women in all post-war elections, has the highest rate of oscillation, while Canton 9 (Sarajevo Canton), which is one of the Cantons with a higher representation of women, demonstrated the lowest oscillations in the numbers of women across post-Dayton elections. Canton 1 (Una-Sana Canton) and Canton 10 (Livno Canton) are the two Cantons with the weakest performance in the representation of women and have almost the same level of variations. Also, the data in Table 5.4. shows no strong connection between the oscillation in numbers of women from election to election and ethnic divisions, since Canton 7 (Herzegovina-Neretva Canton) exhibiting deep ethnic cleavages between Bosniaks and Croats, has almost the same variation rate as Canton 8 (Western Herzegovina Canton), ethnically the 'most homogenous' Canton, where Croats make up 98.8% per cent, and are almost the only ethnic group residing in this area. Canton 6 (Central Bosnia Canton) and Canton 5 (Gorazde Canton) have shown a low level of variation in numbers even though their ethnic composition resembles the previously discussed cases of Cantons 7 and Canton 8. Canton 6 is the second most mixed Canton, while Canton 5 is the second 'most homogenous' Canton with 94 % of the Bosniak population. A contributing factor to the variations in Cantonal election results for women could be the

fragmented party system of Bosnia and Herzegovina and the switching of parties in government. The numbers of political parties, coalitions and independent candidates which contested elections for the Cantonal level of the legislature is shown in the table below.

*Table 5.2. Average representation of women in Cantonal Assemblies and number of political players contesting elections at the Cantonal level*

<b>Year</b>	<b>1996</b>	<b>1998</b>	<b>2000</b>	<b>2002</b>	<b>2006</b>	<b>2010</b>	<b>2014</b>	<b>2018</b>
<b>Average of women in Cantonal Assemblies</b>	6.5%	18.6%	18.7%	21.9%	14.7%	15.2%	18.4%	32.2%
<b>Political Players</b>	*	174	171	231	208	209	218	220

\*No data could be found for the number of political parties, coalitions and independent candidates that contested elections in 1996

Several authors stated the importance of a stable political system for increasing the numbers of women elected in legislative bodies (Paxton and Kunovich, 2003; Kapidzic, 2015, Mulaosmanovic and Kulanic, 2017 ). Mulaosmanovic and Kulanic (2017) argue that a large number of political parties in the political system of post-Dayton Bosnia and Herzegovina is a result or a consequence of the consociational model that this country, as well as of the process of transition from the socialist system to a democratic one. They argue that the tenets of consociationalism specifically ‘elite cooperation’ and the creation of ‘grand coalitions’ has strong influence on the number of parties and on the fragmentation of the political system. The case of post-Dayton BiH does not conform to this pattern. Looking at the data for 1998-2018 elections, the numbers show that on average, the highest number of women were represented in Cantonal Assemblies, when the largest numbers of political players contested elections - general elections in 2002. In this election the total number of political parties and coalitions contesting in all Cantons was 231, the average number of women elected was 21.9%, the highest until the breakthrough election of 2018. The reason for this could be that although many parties/coalitions contested elections, the number of parties winning seats in Cantonal Assemblies was not that high. In 2002, in all ten Cantons, the total figure of political groupings elected stood at 49 collectively, which is one of the lowest numbers of political parties/coalitions elected at the post-Dayton elections. This can be compared

to the 2014 elections, where the total number of parties/coalitions elected to Cantonal Assemblies stood at 75, higher than the 2002 elections, and only 18.4% of women were elected, 3.2% less than in 2002. The only elections that demonstrated a higher percentage of women in legislatures at this level of government were at the most recent elections in 2018, but as was explained earlier, the most likely cause for this increase is the amendment of the Election Law introduced in 2016. The two elections between 2003 and 2018, 2006 and 2010 were contested by 208 and 209 political parties, which translated into 59 and 74 elected parties respectively with approximately 15% women representation in both elections. This demonstrates that the number of successful political groupings only appears to have a slight impact, if any, on the level of women's representation. The varying level of women's political representation across time and between Cantons indicates the presence of other factors, influencing the representation of women in Cantonal Assemblies.

### **Societal Factors that Influence Women's Representation in Cantons**

Literature suggests that the absence of women in political life derives from barriers related to political, socioeconomic, and ideological circumstances (Kenworthy and Malami 1999; Kunovich and Paxton 2005; Delys, 2014; Matland, 2013; Paxton and Kunovich 2003; Lee, 2015). It is argued that socio-economic factors play a significant role in the recruitment of women to legislatures in both long-standing and new democracies (Matland, 2013; Shvedova, 2002; Lee, 2015). This section looks at how socio-economic factors such as rural-urban divisions, which in Bosnia and Herzegovina have their deep historical roots in the post-WWII urbanisation and industrialisation processes (Bennett, 1995; Stefansson 2007), influence the political representation of women in the Cantonal Assemblies of the Federation of Bosnia and Herzegovina. It then examines the ways in which economic development influences women in politics. There is a body of literature suggesting that there is a connection between economic development and the levels of women's political representation (Kenworthy and Malami, 1999; Matland, 2013; Shvedova, 2002), and this section examines to what extent does the economic development of different geographical areas influence the numbers of women elected to the Cantonal legislative bodies. The last part of this section focuses on the frozen ethnic cleavages which are the consequences of the consociational Dayton Peace Agreement (Horowitz, 2002; Jarstad, 2009; Rothchild and Roeder, 2005), and the way they impact the political representation of women in Cantons.

### *Rural-urban divide*

This section of the chapter will examine the way in which the urban-rural divide both within and between Cantons of the Federation of Bosnia and Herzegovina impacts on the political representation of women in Cantonal Assemblies. The division between rural and urban areas in Bosnia and Herzegovina, and indeed in the former Socialist Federative Republic of Yugoslavia (SFRY), played a significant role in social relations. According to the UNDP Human Development Report (2013), Bosnia and Herzegovina is still one of the most rural countries in Europe. Around 60% of the population lives in rural areas, whether defined as villages or as sparsely populated municipalities. Only a handful of other European countries have a higher level of the rural population. Many rural households maintain traditional gender roles, with the man going out to work and the woman staying at home to look after the house and children. This pattern can be found throughout Bosnia and Herzegovina but perhaps it is more prevalent in rural areas (UNDP, 2013). The results of interviews conducted during research and the perception of interviewees are in accordance with these statements, where the majority agreed that one of the factors that influence the representation of women in political institutions is the traditional and almost patriarchal division of gender roles, especially in rural areas of the country (29P, 2017; 24J, 2017; 10M, 2017; 1A, 2017; 29K, 2017).

Women politicians (IC14, 2017; 16P, 2017; 10M, 2017, 24J, 2017) identified the traditional values of the rural areas of Bosnia and Herzegovina as the key barrier to electing women to the leadership positions at local level. This was linked by the respondents to the wide-ranging powers and access to finance that the local governments have. As the political and economic decisions that affect the lives of the population are taken at this level, and there this is where there is access to decision making around budgets elected positions highly contested and this contest privileges men (2S, 2017; 28Z, 2017; 17Z, 2017). Contributing to the dominance of male politicians at this level is the higher level of corruption and nepotism that exists there compared to the higher levels of government are more transparent because they are under the scrutiny of the international community (2S, 2017; 28Z, 2017; 17Z, 2017).

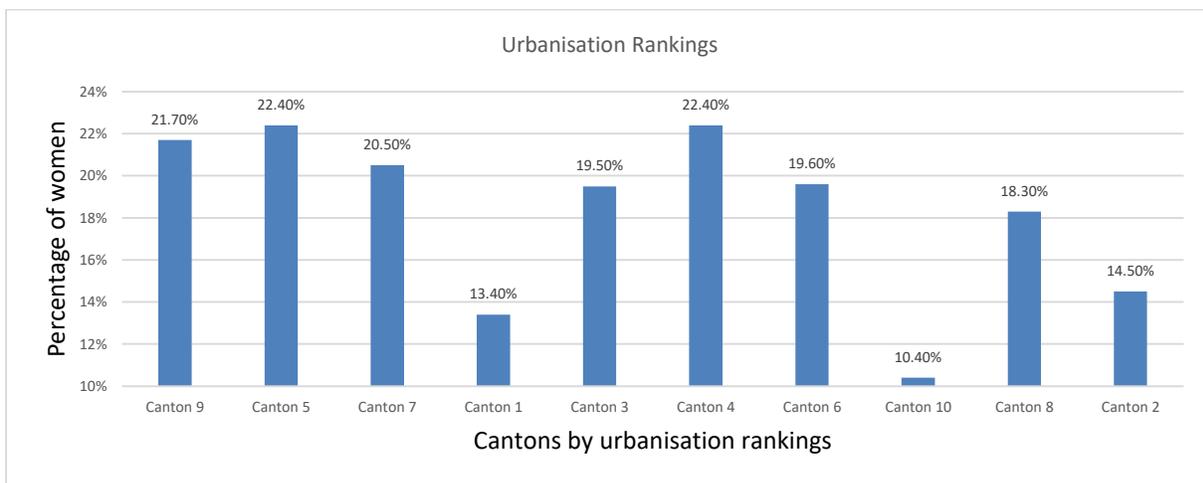
Historically, the rural-urban divide in Bosnia and Herzegovina has its roots, according to some authors, in the desire of the Communist Party to speed up the industrialisation and urbanisation of this ‘backward’ and peasant country after WWII (Bennet, 1995; Ramet, 1999). Others maintain that these divisions have much deeper historical roots, going back to the time of Ottoman rule (Denich, 1976; Stefansson, 2007). Even though of all the republics that made up the SFRY, Bosnia and Herzegovina had the lowest rate of influx of a rural population into cities in the first two decades after WWI, the urban population of cities such as Sarajevo, Tuzla, Mostar, Zenica, Banja Luka, rose to almost double that of pre-war numbers. This fast-paced urbanisation created disequilibrium between rural and urban populations in cities, where the urban population considered rural immigrants as ‘hard and primitive’, and this, in turn, offended the newcomers (Bennett, 1995; Stefansson 2007).

A similar situation occurred after the Balkan wars. Many larger towns and cities had a considerable influx of refugees, while some of the local, urban population had been exiled. The considerable inflow of displaced people and refugees from rural areas to urban centres has, once again, created an imbalance in cities’ demographic structures and in some cases, like in Sarajevo, has created visible cultural changes within society (Stefansson, 2007; 29K, 2017). Newcomers brought traditional ways of thinking and patriarchal behaviours, which the urban population of Sarajevo and other major cities with high numbers of refugees and internally displaced people have found it hard to accept (Ramet, 1999; Stefansson, 2007).

The urbanisation of Cantons is calculated by taking into consideration the numbers of cities and towns in each Canton, drawn from the Federal Bureau of Statistics. It is important to emphasise here the difference between Cantons regarding levels of urbanisation. Some Cantons, such as Canton 5 (Gorazde Canton), even though it has no big cities, is shown as the second most urbanised in the chart, because Canton 5 is both geographically, and according to the size of its population, quite small, but the majority of the Canton’s population lives in the town of Gorazde. This Canton has also performed best regarding the representation of women in its Cantonal Assembly. Looking at Figure 5.1., there are some illustrative cases such as Canton 9 (Sarajevo Canton) and Canton 5, which are both urbanised and have the highest number of women, or the two Cantons with the lowest mean of women’s representation, which are Canton 10 (Livno Canton) and Canton 2

(Posavina Canton), which have the smallest number of industrial or urban centres in the area. This shows that rural-urban divisions have a certain degree of influence on women’s representation in Cantons. There are some deviations from this general pattern, however. Canton 1 (Una-Sana Canton) is ranked as number four according to its level of urbanisation, but has the second-lowest level of women’s political representation, while Canton 4 (Zenica-Doboj Canton), on the other hand, lies in sixth place in the urbanisation chart and its legislature is almost 20% women. The data presented in Figure 5.1 is the mean of women elected to Cantonal Assemblies across eight post-Dayton general elections.

Figure 5.1. The average percentage of women represented in Cantons 1996-2018<sup>36</sup> ranked by urbanisation\*



\*Urbanisation ranked from the highest Canton 9 to the lowest Canton 2

There are several possible factors that could ‘prevent’ women from engaging in active political life. Firstly, the long traditional feature of society in Bosnia and Herzegovina, which involves a strict distinction of responsibilities in the family. ‘A woman’s place is at home and she takes care of raising children, and the man works outside home and takes care of the material security of the family’ (CEDAW BiH, 2005:33).

<sup>36</sup> The average is calculated from numbers in Table 6.5.

In the literature (Ramet 1999; Helms 2007; Aganovic, Miftari, and Velickovic 2015), it has been demonstrated that women in rural Bosnia and Herzegovina are less likely to become politically active. A similar perception was also borne out of the interviews, where both female and male politicians agreed that in Bosnia and Herzegovina, politics is still preconceived to be ‘a man’s job’ (9V, 2017; 29K, 2017; 10M, 2017, 29P, 2017). They perceived as one of the main barriers to women’s political engagement to be traditional norms and patriarchal society, where people do not have confidence in women, especially in small rural communities (10M, 2017; 29P, 2017; 24J; 2017; 18Z, 2017; 6S, 2017), which has a negative impact on women’s self-confidence and their desire to take part in the political life (1A, 2017).

The CEDAW BiH report (2005:33) states that in Bosnia and Herzegovina ‘conditions have not been created for women who want to participate in political life to commit to this task (where to leave children, who would make lunch and do other household work, etc.) because this work requires whole day engagement. Women have no sufficient time to prepare their election programmes which would make them recognisable to voters who would support them at elections for legislative authorities’. As one male politician (29K, 2017), a representative in the Parliament of the Federation of Bosnia and Herzegovina put it:

*‘...And if anyone is going to be involved in politics, it is a man. He has less than half the obligations at home in comparison to a rural woman. It is the woman who wakes up early in the morning and milks the cows and not the man. So essentially, she has no time for politics’.*

The statement that women are pillars of the home and family while working hard in order to sustain their families is not only applicable to rural areas of the country. However, there are other factors that are prevalent in rural areas of Bosnia and Herzegovina which present much bigger barriers to women’s political engagement (CEDAW BiH, 2005). The one with the highest impact is the traditional makeup of rural society. Most of the interviewees at some point stated that Bosnia and Herzegovina is a traditionally patriarchal society and that tradition influences all spheres of public and private life (10M, 2017; 24J, 2017; 29P, 2017; 18Z, 2017; 29K, 2017; 14D, 2017; AB15,2017). Traditional rules apply even more to rural areas where women are usually restricted to housework

and unpaid agricultural jobs, and where it is culturally accepted that politics is not for women and that political engagement is therefore reserved only for men (CEDAW BiH, 2005).

The findings of this study indicate that traditional behaviours which persist in rural areas are an influential factors in the level of women's representation in the legislature, with a large majority of the interviewees stating that one of the main barriers to increasing women's political representation is traditional societal norms (10M, 2017; 24J, 2017; 29P, 2017; 18Z, 2017; 29K, 2017; 14D, 2017; AB15,2017; 14P, 2017). The numbers show that the influence of rural-urban divisions between the Cantons plays an important role in influencing the political representation of women in the Cantonal Assemblies. Most Cantons with larger urban centres score higher regarding women's representation.

#### *Level of economic development*

Matland (2005) emphasised the importance of economic empowerment of women through employment and its positive impact on their decision to become politically active. Partaking in the labour force has been discovered to have an important, positive effect on women's level of political engagement (Matland, 2005). For the purpose of demonstrating differences in the development of Cantons, this study has adopted the development index generated by the Federal Institute for Development Programming (FIDP). The development index is created by using following indicators: tax income per capita (the ratio of income tax paid to total population of Canton); degree of employment (the ratio of workforce to population of working age); migration of people (the ratio of estimated number of people in each Canton to number of people registered at the most recent official census); proportion of elderly people in the total population in each Canton (the ration of person over the age of 65 to estimated number of people in each Canton); level of the education of workforce (the ratio of persons with the secondary and higher degree of education in each Canton to the number of workforce members).<sup>37</sup>

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<sup>37</sup> The development index is adopted from 'Makroekonomski Pokazatelji po Kantonima FBiH 2018' (Federal Institute for development Programming), <http://fzpr.gov.ba/bs/pubs/3/3/studies-and-analysis>

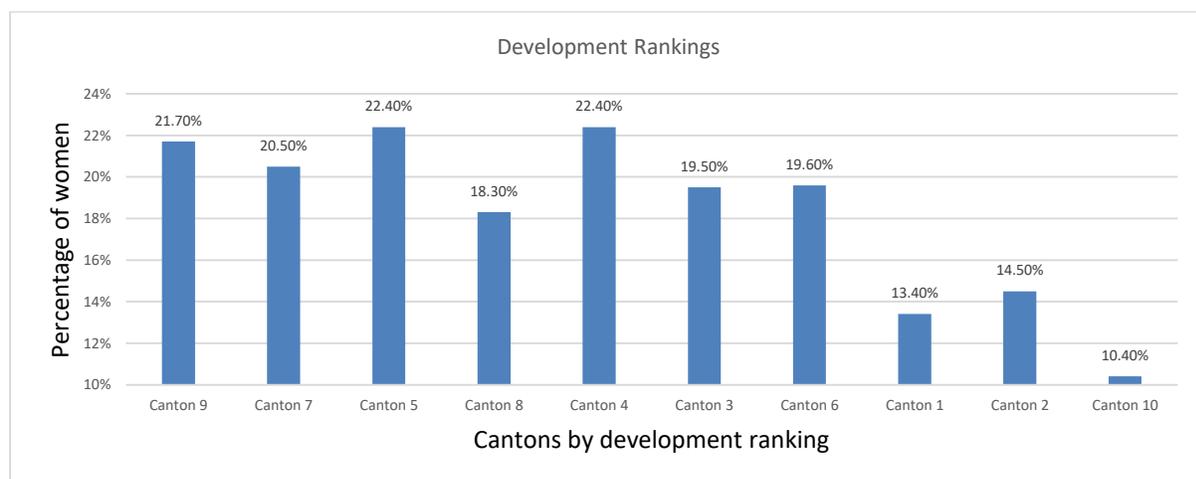
*Table 5.3. Development ranking of Cantons*

<b>Cantons</b>	<b>Tax income per capita</b>	<b>Tax Ranking</b>	<b>Development Index</b>	<b>Development Ranking</b>	<b>Average % of Women</b>
Canton 9 (Sarajevo Canton)	3.12	1	2.03	1	21.7
Canton 7 (Herzegovina-Neretva Canton)	1.46	2	1.13	2	20.5
Canton 5 (Gorazde Canton)	1.33	3	1.12	3	22.4
Canton 8 (West Herzegovina Canton)	0.79	4	1.04	4	18.3
Canton 4 (Zenica-Doboj Canton)	0.52	5	0.64	5	22.4
Canton 3 (Tuzla Canton)	0.43	6	0.79	6	19.5
Canton 6 (Central-Bosnia Canton)	0.22	7	0.70	7	19.6
Canton 1 (Una-Sana Canton)	0.09	9	0.42	8	13.4
Canton 2 (Posavina Canton)	0.20	8	0.30	9	14.5
Canton 10 (Livno Canton)	0.00	10	0.26	10	10.4

Source: Macroeconomic Indicators in Cantons (FIDP, 2019: 8)

The data presented in Table 5.3. is a combination of numbers from the development index adopted from FIDP (2019 :8), and one of the most significant indicators of economic development, such as the tax income per capita. The development index figures show clearly the difference in economic development between Cantons in the Federation of Bosnia and Herzegovina. The highest-ranking Sarajevo Canton (Canton 9) has the development index 2.03, while the lowest ranking Livno Canton (Canton 10) has value 0.26, presenting the difference of 1.77. Herzegovina-Neretva (Canton 7) and Gorazde Canton (Canton 5) follow with the development index values of 1.13 and 1.12 respectively, while West Herzegovina Canton (Canton 8) is in fourth position, behind Gorazde Canton by 0.08. The three least developed Cantons are Una-Sana Canton (Canton 1) with the development index value of 0.42, Posavina Canton (Canton 2) with 0.30, and Livno Canton (Canton 10) with the value of 0.26. Comparing the two indicators shows similar rankings of Cantons, with only Canton 1 and Canton 2 swapping their positions between being second last and a third from the bottom of the ranking list. Canton 10 remains in the last position with 0.00 income per capita in 2018, while the most developed Canton 9 has the highest income per capita of 3.12. The level of tax income per capita indicator varies significantly between Cantons demonstrating the disparity in development of different geographical and administrative areas of the country. For example, according to income per capita rankings, Herzegovina-Neretva Canton (Canton 7) is second best behind Sarajevo Canton (Canton 9). However, with its income per capita stands at 1.46, Sarajevo Canton outperformed it more than 50%. Gorazde Canton (Canton 5), with value 1.33 is following closely behind, while all other Cantons are notably behind according to this indicator. The graphic presentation of data shown in Figure 5.2., demonstrates some degree of relationship between the representation of women in the Cantonal Assemblies and the development ranking of Cantons.

Figure 5.2. Gender representation in Cantons according to development rankings\*



\*Canton 9 (Sarajevo Canton); Canton 7 (Herzegovina-Neretva Canton); Canton 5 (Gorazde Canton); Canton 8 (West-Herzegovina Canton); Canton 4 (Zenica-Doboj Canton); Canton 3 (Tuzla Canton); Canton 6 (Central-Bosnia Canton); Canton 1 (Una-Sana Canton); Canton 2 (Posavina Canton); Canton 10 (Livno Canton)

The three highest-ranking Cantons according to both Development Index and Tax income per capita: Canton 9, Canton 7 and Canton 5, have a representation above 20% of women in Cantonal Assemblies. All other Cantons, with the exception of Canton 4, have women represented between 19.60 % in Canton 6, to 10.40 % in Canton 10. Canton 4 (Zenica-Doboj Canton) and Canton 8 (West-Herzegovina Canton) represent deviant cases considering development rankings and its impact on the representation of women. Canton 8 has quite a low rate of women's representation at 18.30%, fourth from the bottom, and yet it is ranked fourth from the top in development rankings. Canton 4, on the other hand, has the highest proportion of women in its Cantonal Assembly 22.40%, equalling that of Canton 5, but in the fifth position, it is two places behind Canton 5 in development rankings. The difference in numbers of women in legislative bodies at the Cantonal level indicates the existence of other factors which should be looked at and taken into consideration.

### *The impact of ethnic cleavages on women in Cantons*

The structure of Bosnia and Herzegovina was described by Zdeb (2018) as an asymmetrical federation, made up of a state-level and two entities with an extensive level of autonomy: Republika Srpska and the Federation of Bosnia and Herzegovina. Republika Srpska is a centralised entity, while the Federation is further divided into Cantons, making this an additional and asymmetrical tier of government. The ‘representation of all significant groups’ in all elected and public offices are enforced by ethnic quotas based on the 1991 Census, while the ‘segmental autonomy’ principle of consociationalism is demonstrated through a devolution of powers from the state level down to Entities, and in the case of the Federation, further down to Cantons (Bieber, 2006) Although Cantons do not follow classical power-sharing model in their structure, they are created around frozen ethnic cleavages which are often criticised in the literature as consequences of consociational peace settlements (Horowitz, 2002; Jarstad, 2009; Rothchild and Roeder, 2005). This section will examine the ethnic representation in Cantons outlining ethnic as well as gender composition, demonstrating the ways in which ethnic cleavages impact on the political representation of women at the Cantonal level of government.

The ethnic representation in Cantons is in line with the ethnic structure of each Canton. In practice, this means that the political and administrative structures in Cantons should represent the ethnic structure of local communities, such as cities, towns and municipalities, according to the 1991 Census<sup>38</sup>. Begic and Delic (2013: 462) state that in accordance to Article V, paragraph 1, ‘proportional ethnic representation is needed for the final implementation of Annex 7 of the Dayton Peace Agreement, regarding the return of refugees’. Since there was a radical alteration in ethnic composition of almost all parts of the country, and since there is no ‘constitutional guarantee for a certain minimal proportional representation of all of three constitutive peoples in the legislative bodies’, Serbs (as a constituent people) are not represented in most Cantonal Assemblies (Begic and Delic, 2013: 463). Even though, as explained in earlier chapters, most Serbs occupy the territory of Republika Srpska, the constitution of the Federation Bosnia and Herzegovina, according to Begic and Delic, stipulates:

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<sup>38</sup> The data obtained in 1991 Census is used as official, because Republika Srpska still opposes the results from the 2013 Census

*‘... Article V(2)(7)(2) of the Constitution of the Federation of BH stipulates that the precondition for establishment of the caucus of constitutive peoples in Cantonal assemblies is the existence of at least one representative from certain constituent people in that assembly. If we take into account Articles V(2)(7a)(2) and (V)(2)(7b)(1) of the Constitution of the Federation of BH, which provide that the initiation of the mechanism for the protection of vital national interests is entrusted to the chairman of the Cantonal legislative body and his deputies as well as to the caucus of constitutive peoples, then it is clear that the right of protection of vital national interests is significantly limited in those Cantons where one of the constituent peoples is not represented in the assembly’ (2013:463).*

Generally, in Bosnia and Herzegovina, the consociational structures rely on the co-operation of the three main constitutional peoples: Bosniaks, Croats and Serbs, while the question of equal representation of other societal categories, such as minority groups and women, is rarely considered.

*Table 5.4. Ethnic composition of Cantons*

<b>Canton</b>	<b>Bosniaks</b>	<b>Croats</b>	<b>Serbs</b>	<b>Others</b>	<b>Average % of Women</b>
<b>Canton 8</b>	0.8%	<b>98.8%</b>	0%	0.4%	18.3%
<b>Canton 5</b>	<b>94%</b>	0.1%	3.8%	2.1%	22.4%
<b>Canton 1</b>	<b>90%</b>	1.9%	3.1%	5%	13.4%
<b>Canton 3</b>	<b>88.2%</b>	5.3%	1.6%	4.9%	19.5%
<b>Canton 9</b>	<b>83.8%</b>	4.4%	3.2%	8.6%	21.7%
<b>Canton 4</b>	<b>82.2%</b>	12.1%	1.5%	4.2%	22.4%
<b>Canton 2</b>	19%	<b>77.3%</b>	1.9%	1.8%	14.5%
<b>Canton 10</b>	9.6%	<b>76.8%</b>	13%	0.6%	10.4%
<b>Canton 6</b>	<b>57.6%</b>	38.3%	1.2%	2.9%	19.6%
<b>Canton 7</b>	41.4%	<b>53.3%</b>	2.9%	2.4%	20.5%

\*Data on ethnic groups are from 2013 census, disputed by Republika Srpska and the percentage of women represents the average of women elected to the Cantonal Assemblies at all post-Dayton general elections

The ethnic composition of Cantons is shown in Table 5.4. showing ranking of Cantons by the level of ethnic dominance, from the highest to the lowest. Cantons 1, 3, 4, 5 and 9 have a majority Bosniak population; Cantons 2, 8 and 10 have a majority Croat population, while Cantons 6 and 7 are ethnically mixed. The ethnic structure of Cantons influences the structure of the legislative bodies, since the representatives elected to Cantonal Assemblies are elected directly by the electorate residing in municipalities of each Canton. The ethnic makeup of Cantons in some instances, such as the two multi-ethnic Cantons, Canton 6 and Canton 7, can be somewhat problematic in some instances. An example of this is the special treatment of these two Cantons in the country's election law, which treated them differently to other Cantons, considering their ethnic composition. The two Cantons are, in the Election Law of Bosnia and Herzegovina Article 13.9, given exemption from the Article 13.8 of the same law, which pertains to the election of the President of the Canton (Election Law of Bosnia and Herzegovina, 2001)<sup>39</sup>. This exemption was given based on the two Cantons being awarded a 'special regime' considering the multi-ethnic nature of their respective populations. The special regime in these cases devolved some Cantonal powers down to the (monoethnic) municipalities. The special regime was abolished, and the two articles were deleted from the Election Law of Bosnia and Herzegovina in October 2002 (Bieber, 2006: 63). The amended Election law in the Article 13.13 stipulated that when the Cantonal, municipal and cities' executive bodies are formed, 'the composition of the population of the municipality, Canton or city shall be taken into consideration' (The Election law of Bosnia and Herzegovina, 2013)<sup>40</sup>.

The ethnic structure of Cantons and the representation of the 'constituent peoples' in the Cantonal Assemblies still plays the most important role in structuring the governing, executive and public bodies at the Cantonal level. This can impact on the presence of other social groups and categories,

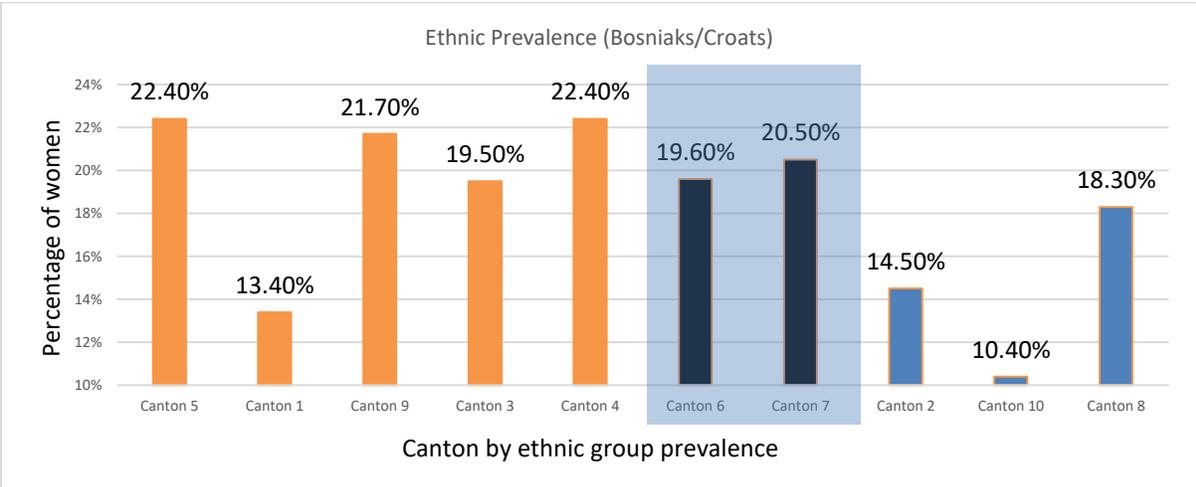
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<sup>39</sup> The Article 13.8 of the Election Law of Bosnia and Herzegovina States: The President of the Canton shall be elected by the Cantonal Assembly by a majority vote of the total number of members of the Cantonal Assembly.

<sup>40</sup> <https://www.izbori.ba/Documents/documents/English/Laws/BIHElectionlaw.pdf>

including women. Figure 5.3. depicts women’s representation in Cantons, according to the ethnic structure. The data used to create the chart is the percentage of the average value of the representation of women elected to the Cantonal Assemblies across eight post-conflict elections and it demonstrates Cantons with the Bosniak majority from the left, moving towards Cantons with Croat majority on the right. The two columns in the middle, marked with the darker shade, are the two Cantons which are most mixed between these two ethnic groups. It is interesting to note that most Cantons with the Bosniak majority performed slightly better than Cantons with a Croat majority. The one exception to this is Canton 1 (Una-Sana Canton), which in this instance represents a deviant case, as having a population of 90% Bosniak and only 1.3% Croat, it is one of the least ethnically mixed Cantons, yet has a considerably weak performance in the representation of women. Canton 5, Canton 9 and Canton 4 have a majority Bosniak population (over 80%) and have a higher percentage of women representatives in their Cantonal Assemblies. Of the three Cantons with a Croat majority, only Canton 8 has 18.30% women’s representation, which is lower than those Cantons with a Bosniak majority, although, of the ten Cantons, this is ethnically the most homogenous one. The two multi-ethnic Cantons, Canton 6 (Central Bosnia Canton) and Canton 7 (Herzegovina-Neretva Canton) have similar numbers of women in the Cantonal assemblies, with 0.90% difference between them. In recent years, particularly since the last general election, there is a noticeable increase in ethnic intolerance between Bosniak and Croats in the areas where neither of the groups forms a majority of the population

Figure 5.3. Gender representation in relation to ethnic prevalence in Cantons\*



(\*) Cantons on the left (in green) present Cantons with Bosniak majority, the Cantons on the right (in blue) represent Cantons with Croat ethnic dominance, while two Cantons in the middle (shaded) represent Cantons with the mixed Bosniak/Croat ethnic groups

Concerns about a re-emergence of ethnic tensions in Bosnia and Herzegovina in general, but principally in the most ethnically mixed regions of the country, were expressed by the institutions and representatives of the International Community and the Office of the High Representative in Bosnia and Herzegovina (OHR, 2017). Lana Prlic, the vice-president of the Social Democrat Party (who is from Mostar), and who was interviewed during the field research for this study, commented:

*'We can see a significant difference in women's numbers from Canton to Canton. This is also evident by nationalism being prevalent in some Cantons. I think that people's perception of 'us and them', especially among young people, is worsening, I am afraid. Ethnonational cleavages are becoming much deeper as well. I see it in Mostar, the divisions are once again, more apparent and deeper' (Lana Prlic, 2017).*

In the geopolitical areas of the country where ethnic tensions are higher, women are more reluctant to become politically active because they are expected to become exclusive members of their ethnonational parties. In the case of wanting to join a multi-ethnic or civic party, they would be in danger of being ostracised by members of their own ethnic group. Several active politicians interviewed for this study have expressed their opinions and perceptions about this, stating that: 'There are some places, you know, where women are afraid to put themselves forward as candidates...they are afraid for their future, their survival, since some of them are being threatened' (24J, 2017; 29P, 2017; 14P, 2017).

Figure 5.3. shows that there is no relationship between the homogeneity of the Canton and a low percentage of women. The two ethnically mixed Cantons ( Canton 6 and Canton 7) have a reasonable percentage of women represented. For the ethnically more homogenous Cantons, there is some distinction between those with a Bosniak majority and those with a Croat. Cantons with a Bosniak majority are more likely to have a higher percentage of women representation in their

Cantonal Assemblies. The exception to this is Canton 1 (Una-Sana Canton) with 13.40% of women elected, which also has a low level economic development. Two of the Croat majority Cantons have a low level of women's representation, Canton 2 and Canton 10, these two Cantons have the lowest development rankings.

This could be a reinforcement of the link between the percentage of women and economic welfare. It could also mean that some Cantons are more likely to vote for civic parties, which would be expected (Miftari, 2015) to promote more women candidates.

### **Parties' Influence on Women in Cantons**

The political representation of women at the Cantonal level of government in some Cantons showed oscillation in changes from election to election. It also demonstrated that those changes showed a very little pattern from Canton to Canton. Partly, this could be a result of the influence of societal aspects outlined in previous sections of this chapter. The other factor could be the role of political parties and their influence on the representation of women in Cantons of the Federation of Bosnia and Herzegovina. This was also emphasised by the interviewees from every category included in this study. Most of the politicians, state representatives, and representatives of the International Community in the country, as well as representatives of the NGO sector, at some point in the interviewing process, pointed out the influence that political parties have on women's political representation. As one of the interviewees, a male politician, put it '*...And whichever way we go, it is always parties who determine when and how many women will be pushed through*' (29K, 2017).

As a consequence of the high level of fragmentation of the political system, a considerable number of small parties, especially at the Cantonal level, won seats only on one or two occasions. This has influenced the number of parties that could be taken in the study and resulted in a somewhat blurred picture altogether. This section of the study will focus on significant political parties using the same definition that was used in analysing the way in which political parties influence the representation of women at the state Parliamentary level. As a result of that, four major parties, SDA (Party of Democratic Action), HDZ BiH (Croatian Democratic Union), SBiH (Party for

Bosnia and Herzegovina) and SDP (Social Democratic Party) will be examined. These parties have won seats in the Cantonal Assemblies on four or more occasions, out of eight general elections held in post-Dayton Bosnia and Herzegovina. Other parties, which have been constituted as a breakaway from these major parties, are not taken in consideration here because they are all quite new and they have contested only the 2010 or later general elections.

Table 5.5. demonstrates that nationalist parties elected fewer women than non-nationalist parties. It also shows that the Bosniak-nationalist SDA party is the only party that won seats at every post-Dayton election. All other parties, at least once, and in the case of the SBiH party twice, either did not contest elections on their own, but as a part of a coalition, or they did not win any seats at the particular elections. Looking at the averages for each party, the nationalist HDZ BiH and SDA parties had the lowest numbers at 10.6% and 14.3% respectively, while non-nationalist parties had somewhat higher women's representation of 15.4% for SBiH and 19.8% for the Social Democratic Party (SDP).

Every party on at least one occasion contested elections as a member of a coalition and in the case of the HDZ BiH party, this happened on two occasions: the 2014 and 2018 elections. Throughout eight elections, all four parties demonstrated certain oscillations in numbers, but the HDZ BiH and the SBiH had more fluctuations than the SDA and the SDP, as is shown in Figure 5.4. In the case of the HDZ BiH party, the numbers oscillated from the highest in 2000 at 25.4%, to 0% in 2002, while the SBiH party went from 7.4% in 1996 to 34% in 2002 elections. The Bosniak nationalist party SDA, unlike three other parties, struggled to over the 18.3% mark which it reached in the 2000 and 2002 elections. However, at the most recent elections in 2018, SDA elected 36.4% of women, which is 22.1% higher than the elections of 2014.

*Table 5.5. Average of women representation in Cantonal Assemblies (1996-2018)*

	<b>1996</b>	<b>1998</b>	<b>2000</b>	<b>2002</b>	<b>2006</b>	<b>2010</b>	<b>2014</b>	<b>2018</b>
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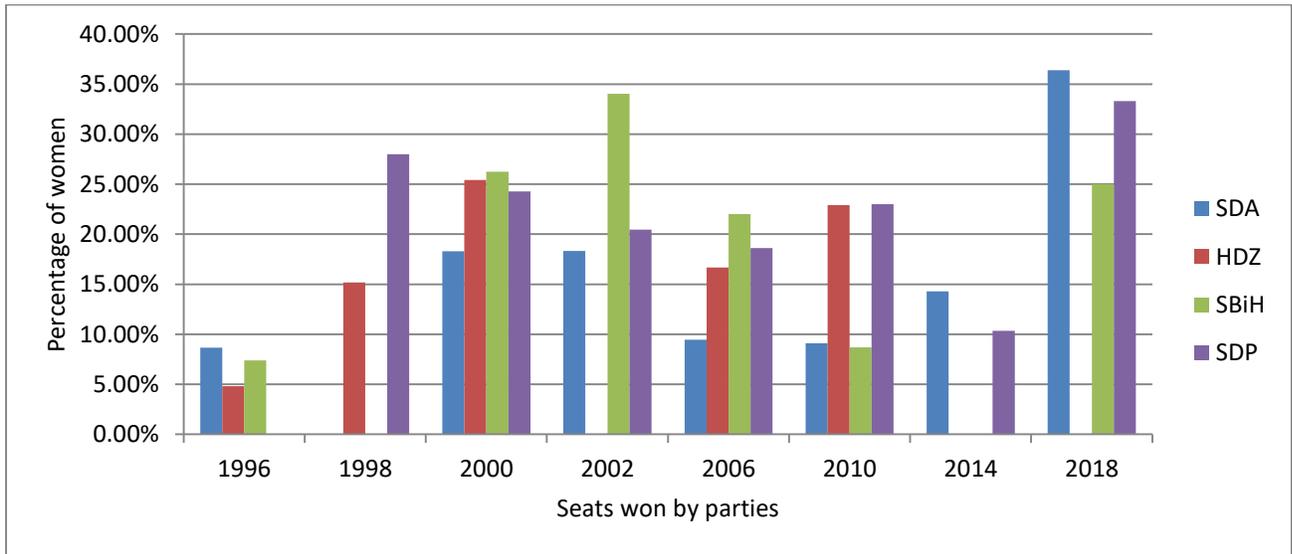
<b>SDA</b>	8.7%	*	18.3%	18.3%	9.5%	9.1%	14.3%	36.4%
<b>HDZ BiH</b>	4.8%	15.2%	25.4%	0%	16.7%	22.9%	*	*
<b>SBiH</b>	7.4%	*	26.3%	34%	22%	8.7%	0%	25%
<b>SDP</b>	*	28%	24.3%	20.5%	18.6%	23%	10.3%	33.3%

(\*) symbolises that the party did not win any seats on its own, but rather contested elections as a member of a coalition – this information is not available

Even with oscillating numbers of women between both different elections and Cantons, by zooming in on the influence of political parties on women’s representation in Cantons, it becomes apparent that party ideology played an important role in electing women into Cantonal Assemblies. This view was also expressed by interviewees in the study (28Z: 2017; 9V: 2017; 2S: 2017; 29K: 2017) They perceived that the political party ideology was one of the main factors in electing women into post-Dayton political institutions:

*‘I think that political parties are not giving enough support and encouragement to women. But it is different from party to party. I believe that parties with the social democratic prefix, encourage their women members more, while conservative parties are just doing it to satisfy the law’ (9V, 2017).*

Figure 5.4. The representation of women by a party in Cantonal Assemblies (1996-2018)



Looking at how these four parties performed in each Canton (Table 5.6.), it is clear that nationalist parties have over time, on average, fewer women represented in Cantonal assemblies than the two non-nationalist parties. The 2016 changes in the Election Law of Bosnia and Herzegovina resulted in women having increased chances of being elected at all levels of government. This has influenced the results at the Cantonal level as well. At the 2018 elections, as an outlier, the SDA has the largest percentage of women elected. SDP party has on average 13.8 % of women elected, while the HDZ BiH party elected only 6.5% of women. The Bosniak nationalist SDA party rates better with an average of 10.6%. The reason for this could be that the SDA kept contesting elections and winning seats individually in Cantons with a Bosniak majority, while the HDZ BiH party entered coalitions on more occasions than any other of these four parties. SBiH was somewhere in the middle, with 8% of women represented in Cantonal Assemblies. This party failed to win many seats at the two last general elections, which negatively impacted its average performance in Cantons.

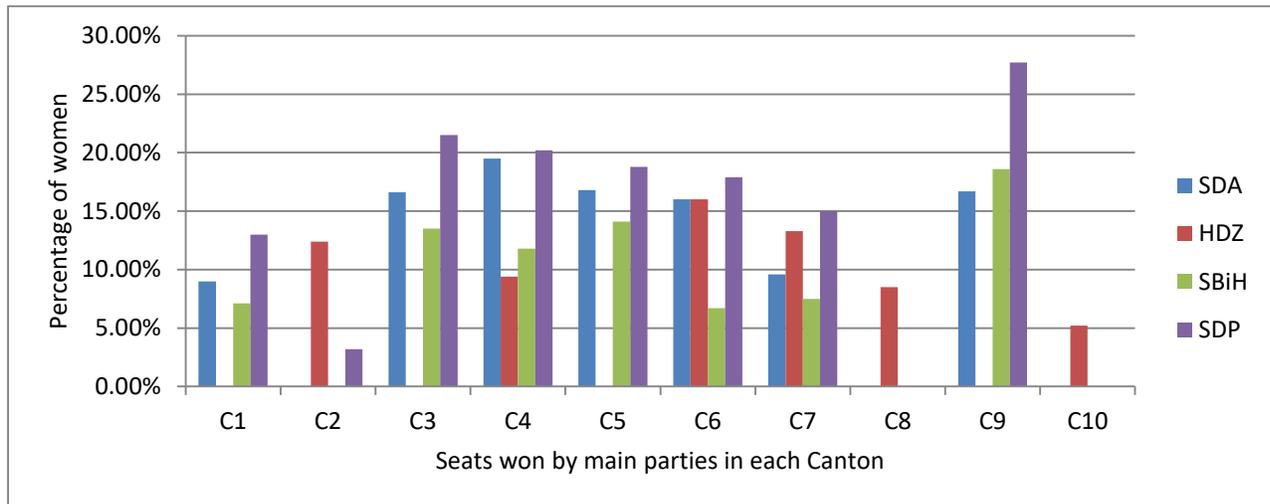
Table 5.6. The average the percentage of women representing parties who won four or more elections in each Canton in post-Dayton Bosnia and Herzegovina 1996-2018

	<b>C 1</b>	<b>C 2</b>	<b>C 3</b>	<b>C 4</b>	<b>C 5</b>	<b>C 6</b>	<b>C 7</b>	<b>C 8</b>	<b>C 9</b>	<b>C 10</b>
<b>SDA</b>	9.0%	0.0%	16.6%	19.5%	16.8%	16.0%	9.6%	-	16.7%	0.0%
<b>HDZ BiH</b>	0.0%	12.4%	0.0%	9.4%	-	16.0%	13.3%	8.5%	0.0%	5.2%
<b>SBiH</b>	7.1%	0.0%	13.5%	11.8%	14.1%	6.7%	7.5%	-	18.6%	0.0%
<b>SDP</b>	13.0%	3.2%	21.5%	20.2%	18.8%	17.9%	15.0%	-	27.7%	0.0%

(-) means that party did not win any seats in that Canton

Data represented here demonstrates that the two lowest-ranking Cantons are Canton 10, with an average of all four parties at 1.3%, and Canton 8, with 2.1%. Canton 2 stayed in very low figures with 3.9%, while Canton 1 fared a bit better with an average of 7.3 %. The two highest-ranking Cantons are Canton 9 with 15.8% and Canton 4 with 15.2%. The two Cantons that are most ethnically mixed are Cantons 6 and 7, and they have a women’s representation average of 14.2% and 11.4 % respectively. Canton 5, with a majority Bosniak population, is the only Canton where HDZ BiH has never won any seats. Canton 8 adds an interesting note to the findings. Ethnically the most ‘homogenous’ Canton, with a 98.8% Croat population, Canton 8 shows that no other large party apart from the nationalist HDZ BiH won any seats in its Cantonal Assembly, regardless of the party’s ideology. On the other hand, HDZ BiH failed to elect any women, even though they won seats, in three out of four Cantons with a Bosniak majority. (see Figure 5.5.)

Figure 5.5. The average representation of women by main parties in each Cantonal Assembly 1996-2018



The three parties SDA, HDZ BiH and SBiH failed to elect women on three occasions each, while SDP did not elect any women twice, in Canton 10. Figure 5.5. shows that Canton 10 had no women represented from any other party apart from the HDZ BiH, although three other parties, unlike in Canton 8, did win seats on several occasion in the Assembly of this Canton. These numbers indicate that party ideology has a significant influence on female representation and, in the view of a majority of interviewees, can act as one of the most important barriers to women's representation. An important characteristic of the three Cantons with the lowest average of women's representation is that these Cantons voted for the nationalist parties. Canton 1 voted mostly for the SDA, while Cantons 2 and 10 voted mainly HDZ BiH. According to some studies (Kadribasic, 2013; Miftari, 2015) and in the opinion of several interviewees (9V, 2017; 29K, 2017; 29P, 2017; 18Z, 2017), parties whose ideology rests on nationalism and religion tend to elect fewer women, while in parties with a social-democratic ideology, women have more opportunities for political representation. Miftari (2015: 8) argues that several factors influence the participation of women in political life, mainly the structure of the electoral system, the number of parties in legislative bodies, and the number of candidates on the electoral lists. However, it is political parties who have the highest power in creating opportunities for women to occupy positions in

legislatures. According to Miftari (2015), leftist and socialist parties are much more prone to supporting women's candidacies for political positions of power, than the conservative or right-oriented political parties.

## **Conclusion**

The structure of Cantons and the representation of the 'constituent peoples' in the Cantonal Assemblies still plays the most important role in structuring the governing, executive and public bodies at the Cantonal level. This chapter examined the relationship between the ethnic composition of Cantons and the political representation of women in the Cantonal assemblies. The empirical results did not show the existence of a strong link between the ethnic prevalence in Cantons and percentage of women represented. This chapter also explored the factors that are considered in the international literature (Matland, 2005) to impact on the levels of women's political representation. It shows that there appears to be a link, although not very significant, between urbanisation and the level of women's participation. There is a much stronger relationship between a Canton's development ranking and the percentage of women in its assembly, with the three poorest Cantons having the lowest levels of women's representation. The direct impact of ethnicity is ambiguous and seems to overlap with levels of development, as of the three poorest Cantons one has a Bosniak majority and two have Croat majorities. There is a clearer relationship between ethnically based parties and social democratic parties that claim to be non-ethnic. Here, social democratic parties have performed better than nationalist parties on average over time.

## **Chapter 6. Elite Perceptions of the Impact of Dayton on Women's Political Engagement**

### **Introduction**

The complicated political and institutional structure, which was put in place by the Dayton Peace Agreement, represents one of the barriers to the political representation of women and their engagement in public life. However, as the previous chapters have indicated, this institutional framework does not in itself fully explain the low level of women's political engagement, especially at the sub-national levels, of the Cantons. In order to explore the relationship between the political structures and social, economic, and cultural barriers to women's political representation interviews were conducted with a range of actors who play an active role in this political system. Six categories of elite actors were interviewed including women politicians; men politicians; members of political parties; representatives from the statutory agencies; representatives from civil society organisations; and representatives from the international community which still has a quite strong presence in Bosnia and Herzegovina. This chapter analyses the narratives in these interviews under three broad headings; the negotiation process that led to the Dayton Peace Agreement and the agreement as a constitutional arrangement; the impact of the complex and fragmented political system created by the Dayton Peace Agreement on outcomes for women; and explanations of the differential representation of women at different levels of government. But firstly it discusses the decision to use elite interviews and explains why the different groups of interviewees were chosen and why a discussion of elite perceptions is relevant.

### **The role of elite perceptions in explaining the gendered political outcomes of the Dayton Peace Agreement**

When I started the interviewing process, my initial hypothesis was that the complicated structure generated by the Dayton Peace Agreement acted as the biggest barrier to the political

representation of women. The previous chapters demonstrated that other factors may also explain the outcome including the regions shared cultural and political history, and at the lower levels of government of Bosnia and Herzegovina factors including varying levels of economic development.

The study examined the perceptions of six categories of elite actors: female politicians, male politicians, representatives of political parties, members of the civil society groups, representatives of statutory organisations, and members of the international community, on how women experienced their engagement in the real world of politics, and how that experience was seen and interpreted by others. This provided fresh insights into the theoretical debate on gender and consociationalism, by looking at perceptions of the influence of the political structures created by the Dayton Peace Agreement on the political careers of women in this society. It also considers how actors in this political system view women both as political representatives and as potential leaders. The interviews show how both men and women politicians navigate this complex political system and how it impacts on gender relations in the country's public life. Members of political parties' internal structures were also interviewed, sharing their perceptions on the way in which women are approached to join political parties as well as their experiences of challenges they are faced with when recruiting women into the political parties.

The decision to interview members of civil society was based on their contribution to public life in the past three decades, including the years of war in Bosnia and Herzegovina, and specifically the role they have played in advocating for measures to improve the position of women in political life in Bosnia and Herzegovina. Feminist authors (Cockburn, 2002; Helms, 2013; Deiana, 2016) consider that these organisations have 'developed feminist interventions organising as women, for women, and on women's issues' (Cockburn, 2002:71) and that in some cases they were able to 'mobilise their positioning vis-a-vis the corrupt and male-dominated world of politics, in order to achieve their political goals' (Helms, 2003: 28). In this way members of these organisations were drivers of significant changes in the country's political and electoral system and in the interviews shared their thoughts and experiences about changes in the electoral system, such as the introductions of gender quotas on candidate lists, possible statutory changes that could improve the position and role of women in public life and society in general, and their knowledge of gender issues in political party structures. The NGOs and civil society groups in Bosnia and Herzegovina

are heavily supported and funded by international organisations and also in person by the representatives of the international community working in the country. The international community, which had direct involvement in peace negotiations, peacekeeping, and peace-building, remains strongly represented in this polity. Several interlocutors from this group shared their perceptions about the position of women in public life in Bosnia and Herzegovina addressing mainly the gendering of EU integration processes as well as commenting on both national and international gender equality legislation that Bosnia and Herzegovina have adhered to. Their lived experience, knowledge, and even their position in the higher strata of political life, public life, especially as representatives of statutory agencies offered nuanced perceptions of the position of women in the political system of Bosnia and Herzegovina. This group of interviewees offered an insight into the position of institutions that make up gender equality mechanisms established in post-Dayton Bosnia and Herzegovina and the role they play in promoting gender equality by ensuring the country's Gender Equality Law is implemented and that international gender equality legislation is adhered to.

### **The Dayton Peace Agreement: The Constitution of Bosnia and Herzegovina**

The changes of political, economic, and administrative developments in Bosnia and Herzegovina since 1995 and signing of the Dayton Peace Agreement has not been linear. According to Perry (2018: 110), it can be divided into three phases that have been shaped by both the depth of engagement of the international community, and also by the form that engagement took. The first phase lasted from 1995 to 1997, when the memories of the war were still fresh, the role of the international community was not well defined, and political and policy progress was rather limited, as maintaining peace and stability was the main goal. The second phase, from 1998 through 2006, was a period of more aggressive international intervention, and political ethnonational elites were constrained to accept reforms. During this time the state-level institutions were strengthened, as reforms were initiated, as a result, there was a sense of a defrosting of the rigid ethnonational divisions. The period of time from 2007 to the present day has been characterised by a weak and often incoherent international approach to Bosnia and Herzegovina resulting in a failure to develop beyond the status-quo (Perry, 2018; Biscevic 2010; Keil and Perry 2015; McMahon and Western 2009.) Throughout this period, it has been argued that the status of women in the polity is a result

of the gender blindness that underlies the Dayton Peace Agreement (Pierson and Thompson, 2018; Deiana, 2018). While, the complicated and decentralised nature of the administrative and institutional structure of the country to some extent explains the difficulties and delays in implementing laws, the perception of the elites interviewed for this study argues that the ethnonational narratives created by the Dayton Peace Agreement in the public discourse in Bosnia and Herzegovina, are of vital importance in shaping the problematic situation regarding the political representation of women in this divided society. It was the majority view that focusing on ethnonational narratives in the political discourse in Bosnia and Herzegovina, increased the side-lining of the issue of gender equality leading to the obstruction of the development of strategies and policies aimed at addressing concerns related to the position of women. While the legal requirements for an affirmative measure, such as the candidate list quotas in order to increase a descriptive representation of women have been adopted, more substantive changes are still not a common institutional practice for most statutory institutions at all levels of government (USAID, 2019).

According to the opinion expressed by a woman member of one of the state agencies directly involved in the electoral processes, *'the divisions created by the Dayton Peace Agreement, although they are supposed to be promoting equality of the three constituent people's and others, they are actually putting nationality in front of the equality. This gave constituent people priority in governing the state in different legislative and executive bodies, while citizens and others are pushed back and placed in the in secondary position'* (13H, 2017). She proceeded to explain that in her view under this Constitution, even during elections the priority is always given to the 'constituent peoples' while no one is talking about citizens as a general category or other potential categories including women and 'others'. For her, this was to be expected as it is the same political parties which are the nationalist parties that were involved in the war were also party to the peace negotiations and the peace agreement. It is telling that she uses the term 'gender blindness' when she says that *'Considering that the gender-blind Dayton Peace Agreement became practically our Constitution, there was no place for women in the political structures created in the aftermath'* (13H, 2017) demonstrating an awareness of the international discourse and that this discourse is shared in Bosnia and Herzegovina at an elite level(13H, 2017).<sup>41</sup> Some of the interlocutors, from

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<sup>41</sup>Interview with one of the state agencies' representatives held on the 17<sup>th</sup> of November, 2017

the same group, that is members of the statutory agencies considered that a possible solution to the gender-blindness of the Dayton Peace Agreement, and its lack of legal provisions for gender equality issues, could be the use of international legislation, including anti-discrimination articles. They also suggested to making ‘gender mechanisms’ the integral part of institutional structures in Bosnia and Herzegovina. One of them suggested that the international documents which are a central part of the Dayton Peace Agreement should be utilised to a greater extent by state agencies concerned with gender equality issues. According to this interview, these instruments were used when the state’s gender equality mechanisms were set up, and for the integration of different international gender equality standards. However, she also maintained that this might be hindered in the future as the current way in which government was organised was not women-friendly. They believe that the Dayton Peace Agreement did not contribute to the promotion of the role of women in any way, and even though the Constitution prohibits gender-based discrimination, it does not contain any provisions for equal opportunities that would give this prohibition a practical outcome (24H, 2018).<sup>42</sup>

The majority of interviewees perceived that the complicated institutional structure created by the Dayton Peace Agreement based on ethnic cleavages hinders implementation of gender equality laws and regulations including the ones which consider the issue of the political representation of women (10M, 2017; 9V, 2017; 18R, 2017; 1O, 2017; 14P, 2017; 14D, 2017; 6S, 2017; 13H, 2017; 13C, 2107; 16P, 2017; 18Z, 2017; 28Z, 2017; 1B, 2017; 2C, 2017; 1K, 2018; 24H, 2018) . As discussed in Chapter 3, Bosnia and Herzegovina is quite progressive in terms of gender mainstreaming and the formal gender equality legislation that is part of international gender equality frameworks. However, the peace settlement, coupled with a lack of political will of the ethnic elites to implement this legislation is impeding the effective enactment of this framework. In the words of one of the participants, who is also among the leading gender experts in Bosnia and Herzegovina, the country’s complicated government structure hinders the implementation not only resolutions, laws, and regulations which tackle issues of gender equality, but also it impacts all other issues (24H, 2018).<sup>43</sup> The existence of the national state level, plus two Entities with a high level of autonomy and with no clear subordination of the sub-national to the national levels,

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<sup>42</sup> Interview with one of the state agencies’ representatives (b) held on the 22<sup>nd</sup> of June, 2018

<sup>43</sup> Interview with one of the state agencies’ representatives (b) held on the 22<sup>nd</sup> of June, 2018

has a negative impact. In addition to this, while Republika Srpska is centralised, the Federation of Bosnia and Herzegovina (FBiH) has 10 Cantons that are not completely subordinate to the FBiH, this situation makes it very difficult to implement laws (24H, 2018).<sup>44</sup> Given the role of this interviewer in the promotion of gender agencies within the state, she also emphasised that there are some positive developments. She explained that that changes including reaching goals of improved gender mainstreaming and gender equality require a long term effort in society, and that:

*'Although we cannot be completely satisfied with the situation yet, we must admit that much is changed positively. For example, today, not only gender mechanisms are talking about gender equality. This important issue is now present in culture, art, and public life in general. The media is inviting many NGOs to talk about gender equality, which shows the importance of this issue. This makes me really happy because we have practically passed on this important topic to other actors in public life. We have managed to push through gender mainstreaming even in such a complex situation our society is in' (24H, 2018).*<sup>45</sup>

Another participant also emphasised the importance of using the Constitutional provisions even if they do not directly guarantee women equal participation in the public realm, to build much-needed gender equality mechanisms through which this issue should be addressed. He believes that although the political structure of Bosnia and Herzegovina does not look like it creates formal barriers based on gender, at the same time, it does not contain mechanisms that would allow women equal participation in political life, especially taking into consideration traditional social norms and gender stereotypes. Therefore, it is of crucial importance, to build strong mechanisms for gender equality and use that to strengthen civil society which has the capacity to strengthen gender equality (6S, 2017).<sup>46</sup> His perception resonates with other respondents' opinions (2C, 2017; 1K, 2018; 24H, 2018), and a desire to move away from the consociational arrangement towards the integrationist approach which would reduce ethnonational and other divisions in society through a higher integration at the civil society's level, and at the level of political and administrative institutions that support these objectives (Aitken, 2010; Howard, 2012). On the other hand, his female colleague expressed a somewhat different opinion by stating that there is

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<sup>44</sup> Interview with one of the state agencies' representatives (b) held on the 22nd of June, 2018

<sup>45</sup> Interview with one of the state agencies' representatives (b) held on the 22nd of June, 2018

<sup>46</sup> Interview with the representative of one of the state's Parliamentary Commissions held on 21st of December, 2017

no simple way to address this particular question, primarily because Dayton Peace Agreement was ‘a must’ in order to stop the war. This, in her view, is the main purpose of the peace settlement (2C, 2017).<sup>47</sup> However she also considered that it was true that as there were just three men representing the warring parties, signing this agreement, with no women present there either at the signing of the Agreement or during the negotiation processes that it is safe to say that presence of women at local, cantonal, entity and national level is very low as a result of the absence of women from the peace process. But in her view this does not mean the Constitution itself, cannot be the basis for change as it criminalised discrimination of all kinds, including discrimination on the basis of gender (2C, 2017).<sup>48</sup> A number of other interlocutors (1K, 2018; 24H, 2018; 10M, 2017; 9V, 2017; 18R, 2017; 1O, 2017; 14P, 2017; 14D, 2017; 6S, 2017; 13H, 2017; 13C, 2107; 16P, 2017; 18Z, 2017; 28Z, 2017; 1B, 2017; 2C, 2017) pointed out the negative influence that absence of women during this peace process had on the post-settlement era and which is felt even today. One young legal expert who was, at the time of the interviewing, actively working on the promotion of gender equality in Bosnia and Herzegovina, said that in his view, the absence of women during peace negotiations contributed to the re-affirmation of the stereotype that ‘it takes a man to be a leader’ (1K, 2018).<sup>49</sup> He believes that the Dayton peace negotiations is one of many examples of gender-blind peace negotiation processes where the difference in needs for women and men were not considered. Still, for him, this was somewhat surprising considering that in this situation, gender violence had been used as a method of warfare (1K, 2018).<sup>50</sup>

So, there is a line of argument that the Dayton Peace Agreement, with all its gender-blindness, did create a constitutional framework in which it was possible to establish a gender equality infrastructure, even if that framework is not fully implemented. The most notable element of the Dayton Peace Agreement is the list of additional human rights agreements to be applied in Bosnia and Herzegovina which includes the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). Inclusion of CEDAW was used in a number of policy interventions afterward including the inclusion of gender quotas in the Election Law, adoption of the Law on Gender Equality in Bosnia and Herzegovina, adoption of the Gender Action Plan, and

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<sup>47</sup> Interview with one of the state agencies' representatives (c ) held on the 29<sup>th</sup> of November, 2017

<sup>48</sup> Interview with one of the state agencies' representatives (c ) held on the 29<sup>th</sup> of November, 2017

<sup>49</sup> Interview with legal and gender expert held on the 18<sup>th</sup> of December, 2018

<sup>50</sup> Interview with legal and gender expert held on the 18<sup>th</sup> of December, 2018

UN Resolution 1325 National Action Plan (NAP). An interviewee explained why, in their view, there were not only no women but that all other groups, except for the representatives of the main ethnonational groups, were absent from the peace negotiations:

*'It is hard to imagine that gender equality, the participation of women, men or any other group was even discussed at the peace negotiations. As the emphasis of the negotiations was on the creation of power-sharing mechanisms for ethnic groups, the priority of each ethnic and political group was to nominate and delegate who they perceived as their best leaders are to be. Stereotypically, those were men' (1K, 2018).<sup>51</sup>*

Another criticism of the Dayton Peace Agreement and the Constitution of Bosnia and Herzegovina as its integral part, by many participants (24J, 2017; 14D, 2017; 29P, 2017; 29K, 2017; 24H, 2018; 1K, 2018) related to the ethnonational divisions built in the Constitution by the way of ethnic quotas as a guarantee for equal participation of the 'constituent peoples'. A young woman politician, one of the youngest vice-presidents of one of the country's main political parties gave her perception as: 'I think that the Dayton Peace Agreement does not recognise women or citizens. It, unfortunately for us, only recognises ethnic groups and ethnic quotas, and it is very difficult for women to break into these quotas' (16P, 2017).<sup>52</sup> She continued by saying that, even though Bosnia and Herzegovina is a signatory to all important international gender equality treaties and laws, this is not implemented in practice, which negatively impacts the society: *'If you see our parliaments, all you can see are grey suits, we are a country of men, patriarchal society, while the real heroines of the wars are rarely mentioned. We today honour heroes from WWII, but only men. In the middle of London, there is a monument to women who contributed to WWII, but we have nothing for our women'* (16P, 2017).<sup>53</sup> The representative of the civil society group and an activist used even stronger words to describe the use of ethnic quotas and their impact on gender quotas which are prescribed in the country's Gender Equality Law and which is outlined and discussed in previous chapters. The country's Constitution, created within the Dayton Peace Agreement, although it

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<sup>51</sup> Interview with legal and gender expert held on the 18<sup>th</sup> of December, 2018

<sup>52</sup> Interview with a woman politician, one of the youngest vice-presidents of one of the country's main political parties held on the 26<sup>th</sup> of September, 2017

<sup>53</sup> Interview with a woman politician, one of the youngest vice-presidents of one of the country's main political parties held on the 26<sup>th</sup> of September, 2017

protects human rights in general and forbids discrimination, is not gender-sensitive, she states. This Constitution does not explicitly mention women and their rights, like constitutions of some other European countries, including for example neighbouring Croatia, which has integrated the protection of women's rights into their Constitution. On the one hand, the good thing is that Bosnia and Herzegovina has accepted all UN and international conventions regarding human rights protection and anti-discrimination, and so on, but the difficulty is that very little is being implemented. She continued:

*'Also, ethnic quotas which are prescribed by the Dayton Peace Agreement, have made our lives very complicated. Because, even though our law says that women should be treated equally, by the time all political institutions are organised by ethnic quotas, which is usually 30% of Bosniaks, 30% of Croats, and 30% of Serbs. And then, when we ask what about women, we get the answer: this was hard enough, we could not think about also including 40% of women to each of these groups' (18Z, 2017).<sup>54</sup>*

The ethnonational divisions created by the Dayton Peace Agreement, the lack of legal provisions for gender equality in the Constitution, and the introduction of ethnic quotas in the country's post-Dayton institutional framework were perceived, by interlocutors, as the biggest barriers to women's political engagement in Bosnia and Herzegovina. The existence of these barriers has a negative impact on the position of women in public life, as some interviews illustrated. The continuous engagement in ethnonational discourse creates a political environment that is not women-friendly and leads to the side-lining of women and gender equality issues in general. Most of the interviewees agreed that the signing of the DPA was a vital first step in building a peaceful society, but they also commented on how the absence of women during negotiations impacted negatively on the position of women in Bosnia and Herzegovina and is something that could be a lesson for future peace negotiations. The relationship between ethnic and gender quotas and their mutual impact also resonated strongly with every person interviewed for this study. The next part of this chapter will discuss the relationship between these two forms of quota within this complex consociational system.

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<sup>54</sup> Interview with the representative of the civil society sector held on the 24<sup>th</sup> of March, 2017

## Post-Dayton Bosnia and Herzegovina and Political Fragmentation

High fragmentation of the political and party system, in Bosnia and Herzegovina, coupled with male-dominated culture in political party structures represents one of the several barriers to the political representation of women at different levels of the legislature. Perceived by some interviewees, this system of organisation of government imposed by the Dayton Peace Agreement is not women friendly. According to the words of one of the women politicians, *'the fragmented political system and institutions created in Dayton are definitively barriers to women to become politically active'* (13C, 2017).<sup>55</sup> She believes that such a complicated political system and very complex and complicated Constitution are a root cause and the main barrier to the normal functioning of the state as well as the barrier for women's participation in the political arena (13C, 2017).<sup>56</sup> There is also a fragmented political party system with many small parties competing against each other, as well as against larger, more significant parties. A large number of smaller parties also mean shorter candidate lists, reducing chances for women to get on the lists (24H, 2018; 1K, 2018). An additional complication, as discussed in previous chapters is the fact that Bosnia and Herzegovina has three different laws on political actors and three different standards for both establishment and registration of political parties, depending on the geo-administrative part of the country they are active in (Kiel and Perry, 2015): The Federation of Bosnia and Herzegovina, Republika Srpska and Brcko District. One of the interviewees shared her perception on this issue, by stating:

*'Firstly, the census is really small, we have too many political actors. Secondly, and without going into the culture of political parties, but just looking at it ex-lege, meaning what the Constitution allows, which is so many different levels of government and so many parties. This simply does not allow any room for women. What I want to say is, when you have a large number of political parties, what happens usually is that only a small number of people from each party can be elected, and we know what that really means: 'small*

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<sup>55</sup> Interview with a women politician (a) held on the 21<sup>st</sup> of November, 2017

<sup>56</sup> Interview with a women politician (a) held on the 21<sup>st</sup> of November, 2017

*puddle and a lot of crocodiles', and these situations usually diminish the opportunities for women' (24H, 2018).<sup>57</sup>*

Another participant agreed only partially with the above statement. In his view, the fragmentation of the political system and a large number of political actors, considering that each candidate list must have at least 40% of both men and women, have a limited impact on women's chances to get elected. It does, according to this interviewee, impact on the inclusion of candidates with capacities for change, and this also influences women. The fragmentation of the system results in the fact that political parties need to consider the geographical representation on their candidate lists and women who are active in political parties can be left out to ensure that women who were perhaps not that active fill in the ethnic, gender and geographical quota. This may not be primarily a gender issue, but it does create tensions in political parties, especially amongst women candidates (1K, 2018).<sup>58</sup>

Several interviewees shared their views on the mutual impact on ethnic and gender quotas and the way in which they are incorporated into the political and electoral systems and also the way in which the relationship between these quotas directly influences women candidates. Most of them were of the opinion that changes in the electoral system could be a solution, by either closing candidate lists, or introducing reserved seats for women (1K, 2018; 24H, 2018; 26, 2017; M30, 2017). Another respondent referring to his own experience in working with gender mechanisms in Bosnia and Herzegovina as well as to his own research, during the interview, gave a pragmatic view of how the design of electoral system impacts the gender (dis)balance of the parliaments and the outcome of gender quotas. He believes that key variables of the electoral system design which impact the gender (dis)balance of the parliaments are: 'the type of the electoral system, the district magnitude, party magnitude, and the ballot structure'. This interlocutor elaborated further by saying that the electoral system of Bosnia and Herzegovina can be characterised as a medium fit system when it comes to the aim of increasing the participation of women. The quota applied has ensured that less represented sex [usually women], have to be placed on the candidate list, it has a rank-ordering rule and a percentage which is now 40%. The quota also impacts political parties as

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<sup>57</sup> Interview with one of the state agencies' representatives (b) held on the 22<sup>nd</sup> of June, 2018

<sup>58</sup> Interview with one of the state agencies' representatives (b) held on the 22<sup>nd</sup> of June, 2018

they have to recruit more women and invest in their female candidates to develop their political capital. Critiquing the country's electoral system, he states: *'this is an excellent example of a functioning quota for the under-represented sex with all the necessary safeguards. However, the preferential system with small electoral districts [or a small number of seats available in these districts] is more likely to work for persons on the top of the list [usually men], and not for candidates ranked below the first spot'* (1K, 2018).<sup>59</sup> Another respondent, who holds a leading position in one of the state agencies which, together with other statutory bodies makes up the gender mechanism of Bosnia and Herzegovina, had strongly felt views of the country's electoral system and the influence of political parties within that system.

*'Our current electoral system is absolute "women unfriendly", even though there are certain guarantees and certain articles within our Election Law which guarantees 40% of women's participation on candidate lists, with zipper list clause built in this law. But the openness of candidate lists is definitely not something, in such a political and patriarchal culture, that helps women. Also, as we identified there is a culture that is not women-friendly within political parties. This is most evident in the Executive bodies, where members are nominated and voted in by parliaments, but let's be honest here, political parties usually agree on these nominations and usually, there is an extremely low number of women nominated'* (24H, 2018).<sup>60</sup>

She also commented on the 'unpreparedness' of women to do what, in her view, their male colleagues are doing, such as long hours and late night meetings, in order to become politically active (24H, 2018).<sup>61</sup> In her opinion, the consequences of the Dayton Peace Agreement are the root cause for the position of women in Bosnia and Herzegovina, maintaining that *'women in this country are simply de-emancipated. I have no other explanation for this situation of having only around 20% of women in the state parliament'*. In the interview she also referred to the low numbers of women ministers, which were discussed in earlier chapters, elaborating that in 2018, there were only two women ministers: Minister for Defence and Minister for Human Rights and

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<sup>59</sup> Interview with legal and gender expert held on the 18<sup>th</sup> of December, 2018

<sup>60</sup> Interview with one of the state agencies' representatives (b) held on the 22<sup>nd</sup> of June, 2018

<sup>61</sup> Interview with one of the state agencies' representatives (b) held on the 22<sup>nd</sup> of June, 2018

Refugees, and pointed out that no woman was ever elected in the collective Presidency of the post-Dayton Bosnia and Herzegovina (24H, 2018).<sup>62</sup>

Most interlocutors agree that gender quotas are affirmative measures in Bosnia and Herzegovina, even though the country's gender Equality Law prescribes 40% of less represented gender, the clause is compulsory only at the party candidate lists. It is not compulsory at the stage of political office distribution. As a result, regardless of the high number of women at the stage of elections, the chances for women winning seats in legislative bodies are not that high. The respondents indicated the electoral system as a barrier to the political representation of women, including open party lists and the absence of reserve seats. The literature as well as both female and male politicians interviewed for this study agree that a return to closed candidate lists would be better for women (Aganovic, Miftari and Velickovic 2015; Dahlerup, 2005; Matland 2005; Velickovic 2014), outlining the voters' lack of confidence in electing women candidates which, as they all agreed, stems from the traditional norms this society reverted to in the period of the war and in the post-conflict era (24J, 2017; 14D, 2017; 29P, 2017; 29K, 2017). These perceptions could be an indication of the importance of the role that political parties play in the process of electing women to the legislative bodies. One of the women politicians, the representative in one of the Cantonal Assemblies commented on this issue stating that at present, there are 'only candidate lists quotas'. However, according to her, women only figure on the lists, like 'ikebana'.<sup>63</sup> Women are only present in order to satisfy the numbers, but to get elected, it is difficult and are only put on the candidate lists because it is a legal requirement. '*The only way we could change that if we have reserved seats for women. In the same way, we have ethnic quotas, we should have quotas for women in both executive and legislative bodies*' (2S, 2017).<sup>64</sup> Her male colleague, who represents one of the most significant parties as defined in earlier chapters, agreed with this and was very much in favour of changes in the Election Law. He was also in favour of the closed lists, perceiving them as something that would guarantee higher numbers of women representatives at all levels of government. However, if there was a political will to increase the number of women in the legislature, there would have to be a change in the Election Law which would prescribe reserved

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<sup>62</sup> Interview with one of the state agencies' representatives (b) held on the 22<sup>nd</sup> of June, 2018

<sup>63</sup> the Japanese art of flower arranging that emphasizes form and balance, a table centrepiece

<sup>64</sup> Interview with a woman politician (a) held on the 23<sup>rd</sup> of March, 2017

seats for women the same way there are in existence for ethnic minorities. One of the young feminist activists who was interviewed for this study put it lucidly:

*'We now have 40% and open lists and they are not very effective, but on the other hand, if they were not existent, we would have much fewer women in politics. The only way I can see that would be more effective than the quotas we have today are reserved seats, the same way ethnic quotas are' (18Z, 2017).<sup>65</sup>*

Another respondent commented on this issue saying that, in her view, closed candidate lists, and reserved seats are just modalities of different affirmative measures, describing Kosovo as a good example where reserved seat strategy 'produced some well-recognised women politicians' (24H, 2018).<sup>66</sup> However, she did 'warn' that the reserved seats could also be 'a double-edged sword that could provoke an antagonism from their male colleagues'. In the end, this interviewee perceived that possibly the best solution for women in Bosnia and Herzegovina would be '*closed lists, coupled with gender quotas that we already have. I believe should be more than enough and it would not only diminish any antagonistic behaviour from men, but it would eventually lead to supporting their female colleagues*' (24H, 2018).<sup>67</sup>

On the other hand, some interviewees did not perceive closed lists to be favourable to women candidates, arguing that open lists are not only more democratic, but they also decrease a possibility of 'manipulation by political parties', which was the main criticism of the closed lists voting system (17Z, 2017; 13H, 2017). The interesting choice of words by some interviewees about the manipulation of the system by political parties, which was a common perception by the majority participants, brings us back to the point discussed throughout this study about political parties being one of the main barriers to the political representation of women in consociational, deeply divided society, such as Bosnia and Herzegovina. There is a body of literature, as demonstrated in Chapter 1, on consociationalism and political parties which emphasise the importance of the role political parties play in consociational, divided societies (Luther, 1999; Katz and Mair, 1995; Mair, 1997; Jarrett, 2016). The 'behaviour' of the political party elites in other

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<sup>65</sup> Interview with the representative of the civil society sector held on the 24<sup>th</sup> of March, 2017

<sup>66</sup> Interview with one of the state agencies' representatives (b) held on the 22<sup>nd</sup> of June, 2018

<sup>67</sup> Interview with one of the state agencies' representatives (b) held on the 22<sup>nd</sup> of June, 2018

consociational societies, even in so-called consociational democracies could be in some ways compared to the behaviour of ethnonational political elites in Bosnia and Herzegovina. It looks like it is a ‘common trait’ in these types of societies that political parties are the main connector between masses and elites of the particular ethnonational group (Luther, 1999), and with that, they are also the main player in a correlation between ethnic groups and other groups in society, including women.

One of the interviewees, a woman engaged in a project with one of the largest international organisations in the country, perceive political parties, in the shape of ethnonational elites, and within the institutional framework created by the Dayton Peace Agreement, as semi-formal structures which actually rule Bosnia and Herzegovina for the past twenty-something years. She believes that because of their nature and the way they are structured, they [political parties] simply exclude women, by holding party meetings in places that are not institutions, places which are not women-friendly, where women do not feel welcomed, places frequented usually by men. This participant expressed a belief that *‘political parties created an environment which is not the most natural for women, and the leadership of political parties is making no effort to change any of this. Also, they (political parties) are making no attempt to democratise the processes that they are most benefiting from, considering we all know that gender equality leads to democratisation of society’* (16M, 2019).<sup>68</sup> As a result, the whole political arena has this massive grey area as the semi-formal centres of power, which are almost a natural habitat for precisely those political parties, and their [mostly men] leaders who are actually *‘dictating which women they want, which they do not want, what is the way in which they want to engage women and women almost have no say in any of this’* (16M, 2019).<sup>69</sup> Another respondent blamed the ‘patriarchal political party cultures’, which are ‘ruling the political arena’ in Bosnia and Herzegovina. Almost all party leaders are men, while women who are, even at the top echelons of political parties usually behave following ‘male models of behaviour’ and even though there is a ‘critical mass’ of women within political party structures, it is evident that the authority of the leader is still put before the group interest of women. She said that considering all of this, she is not sure at all as to how much women who are

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<sup>68</sup> Interview with the representative (a) of one of the international organisations in Bosnia and Herzegovina held on the 28<sup>th</sup> of June, 2018

<sup>69</sup> Interview with the representative (a) of one of the international organisations in Bosnia and Herzegovina held on the 28<sup>th</sup> of June, 2018

currently members of political elites, how much they would be even allowed to contribute to the stabilisation, peace, and prosperity in the society in Bosnia and Herzegovina. Considering that the country is 'ruled' by the peace agreement, which is based on mainly satisfying the ethnonational representation through ethnic quotas, *'if we could somehow replace ethnic quotas with gender quotas, I mean even if we paid as much attention to gender equality as we do to equal ethnic representation, this would produce much better results and would act as massive support to women politicians in our country. Otherwise, any future progress, under the Dayton Peace Agreement will be stalled'* (24H, 2018).<sup>70</sup> She also emphasised that the state agency she works with, have made a considerable effort and worked with political parties in order to educate them about both Gender Equality Law and the importance of the political participation of women. In her opinion, it worked a bit better as she put it 'horizontally', meaning at the state level, than 'vertically' at the sub state level, her perception is that there are many obstacles to women, the administrative divisions of the country, being the most important one.

Male-dominated and patriarchal internal party structures and continued fragmentation of the political system were one of the overarching themes in the interviews. The fragmentation of the political system and the large number of smaller parties competing for a very limited number of legislative seats, was mentioned as the main barrier to women's success in getting elected. This is not an uncommon occurrence in new democracies based on the tenets of consociationalism, where political parties act as the main link between members of ethnonational groups and their political elites. This, according to the interviewees creates a system that is not conducive to women's active engagement in political life. The negative mutual relationship between ethnic and gender quotas featured also as one of the main hurdles that women in Bosnia and Herzegovina had to negotiate in their political roles. One of the consequences of the continuous clash between ethnic representation and gender quotas is perceived to create a backlash against women and a lack of voter confidence in electing them. These attitudes according to some of the interviews, were more evident at the sub-national levels of government (29P, 2017; 29K, 2017). The organisation of the Federation of Bosnia and Herzegovina into Cantons brought in a fragmented structure of administrative and territorial division which impacted the political representation of women in

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<sup>70</sup> Interview with one of the state agencies' representatives (b) held on the 22<sup>nd</sup> of June, 2018

Cantonal Assemblies in different ways. This issue will be looked at more closely in the next section of this chapter.

### **Women and Political Representation at the Sub-national level**

The analysis of findings in Chapter 5 indicated that territorially and administratively Cantons are structured around the dominant ethnonational groups (Kasapovic, 2015). The results demonstrated that the Dayton Peace Agreement put additional limitations and strengthened the barriers to the political representation of women due to its fragmentation in terms of institutional and administrative divisions. Their establishment was a direct outcome of consociational settlements, both the Dayton Peace Agreement and the Washington Peace Agreement, as described in earlier chapters. Ethnonational nature of Cantons, similarly to other administrative arrangements based on consociationalism permits very limited space for other identities that are not based on ethnicity, such as gender. Cantonal Assembly elections between 1996 and 2018 show that the level of women's representation has varied markedly between the different Cantons, with volatile changes from election to election in some Cantons, making the underlying upward trend erratic. In the literature (Ramet 1999; Helms 2007; Aganovic, Miftari, and Velickovic 2015), it has been argued that women in the rural areas of Bosnia and Herzegovina are less likely to become active in country's political arena. Chapter 5 demonstrated that the strongest link between the level of women's representation was with the level of economic underdevelopment, rather than measures of ethnicity or the rural urban divide. The analysis of interviews, on the other hand, showed that the interviewees believe that there is a very strong relationship between women representation in Cantonal Assemblies and rural/urban divisions of Cantons. One of the interviewees, a female politician, and representative in the Cantonal Assembly, elected from a small, rural community, shared her experience of a woman politician in Post-Dayton Bosnia and Herzegovina:

*I have two things to say about this. First, it was very difficult to put me forward as a candidate in such a small rural community because people do not confidence in women, especially as representatives on a legislative level. The other reason is that this is a patriarchal society. As well as that, I believe that men are afraid of women here, so they*

*see us as a competition. It is difficult for women to win the place in the election. You almost must have a man lobbying for you telling voters that you are a capable politician. I talk about my personal experience, I come from a small rural community. It is a bit easier in Sarajevo, it is a city and therefore it is easier for women' (10M, 2017).<sup>71</sup>*

While one male politician (29K, 2017)<sup>72</sup>, a representative in the Parliament of the Federation of Bosnia and Herzegovina, on the other hand, described not only how he perceived the possibility given to women in rural areas to become politically active but also his perception of the reality for rural women in this country:

*'You need to get into the spirit of rural areas of Bosnia and Herzegovina. In these areas, a woman is a housewife in the home. That is, it! A woman is the pillar of the household and she does not have time for politics. And if anyone is going to be involved in politics, that is a man, who does not have even as half as many obligations at home as a rural woman. The whole household is held by a woman. It is the woman who wakes up and milks the cows and not a man. So, essentially, she has no time for politics' (29K, 2017)<sup>73</sup>*

Although most interlocutors identified the re-patriarchalisation of the country, and de-  
emancipation of women as some of the reasons for the lower levels of women representatives,  
some believe that in more rural areas women have a lower level of education, both formal and  
political, making them less confident to enter politics. A young female politician stated that: *'At  
lower levels of government, the number of women I believe depends on parties, but also depends  
on the level of education. If the areas are rural, people have other things to do and are not that  
interested in politics' (16P, 2017).<sup>74</sup>* One representative of the country's statutory agency agreed  
with this statement affirming *'...however if we talk about public sphere of women's engagement,  
the situation is much better in urban than rural areas, where women have lower levels of education  
and therefore they are less emancipated' (6S, 2017).<sup>75</sup>*

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<sup>71</sup> Interview with a woman politician (b) held on the 15<sup>th</sup> of March, 2017

<sup>72</sup> Interview with a male politician (a) held on the 24<sup>th</sup> of March, 2017

<sup>73</sup> Interview with a male politician (a) held on the 24<sup>th</sup> of March, 2017

<sup>74</sup> Interview with a woman politician, one of the youngest vice-presidents of one of the country's main political parties held on the 26<sup>th</sup> September, 2017

<sup>75</sup> Interview with the representative of one of the state's Parliamentary Commissions held on the 21<sup>st</sup> of December, 2017

A member of the civil society sector which is quite strong and active in post-Dayton Bosnia and Herzegovina especially in addressing the gender equality issues in society, also emphasised the importance of both gender and political education of women, particularly in rural areas:

*'Also, there is that urban-rural divide in our country. I believe that we need to educate and pay more attention to rural women and tell them why it is important to go out and vote and especially try and become politically active. We need to have gender education' (18Z, 2017).<sup>76</sup>*

Apart from this, she defined another important factor that several other participants in this study also marked as one of the barriers to the political representation of women, particularly in rural areas, and that is the political apathy among rural women: *'...Also, there is some kind of political apathy, women say: why should I vote or get politically active, I cannot change anything. Whatever I say, it does not count' (18Z, 2017).*<sup>77</sup> The political apathy of women in Bosnia and Herzegovina is considered by women, from civil society organisations as well the representatives of the international community to be a result of the traditional norms and gender stereotypes which re-appeared strongly in post-Dayton Bosnia and Herzegovina.

The literature argues that political turmoil can sometimes bring positive transformation and gender change (Cockburn and Zarkov, 2002; Enloe, 1989; Enloe, 2002; Enloe, 2004), which was also demonstrated in the words of one of the interlocutors who stated following: *'I suppose that these factors have a negative impact, but on the other hand, in some case, they can motivate women to become politically active, since by recognising the real issues in their local communities, can make strong cases for themselves to get elected (6S, 2017).'*<sup>78</sup> According to some scholars, however, post-conflict settings can raise questions about the consolidation of male hegemonies and the creation of additional processes of exclusion and exploitation which again deeply affect the status of women (Cockburn and Zarkov, 2002; Enloe, 1989; Enloe, 2002; Enloe, 2004; Deiana, 2018). One member of the international community in Bosnia and Herzegovina, which, as stated earlier,

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<sup>76</sup> Interview with the representative of the civil society sector held on the 24<sup>th</sup> of March, 2017

<sup>77</sup> Interview with the representative of the civil society sector held on the 24<sup>th</sup> of March, 2017

<sup>78</sup> Interview with the representative of one of the state's Parliamentary Commissions held on the 21<sup>st</sup> of December, 2017

have an extremely strong presence in the country, observed that, besides the lack of education of women in more rural areas, it is the re-traditionalisation of society, has an extremely strong impact on the position of women in public life:

*'All those factors such as ethnic divisions, rural-urban divisions, uneven economic development and all of these things are influencing political representation of women in Cantons. I have a colleague here who comes from a rural area and he says: 'My wife will never work'. He didn't even ask her opinion, he just concluded and decided that she's not going to work, and this is just some stereotype very much present in our society that became so patriarchal in the last couple of decades. It is shocking, really' (1B, 2017).<sup>79</sup>*

The Cantons are political and territorial units made up of the dominant ethnonational groups, common to other administrative structures based on consociationalism, leaving very little space for other non-ethnic identities such as gender. In the decades after the signing of the DPA the number of women at higher levels, particularly the state level, stayed the same or increased slightly over time while at the level of Cantons, it didn't show the same stability. Some respondents perceived this phenomenon as something that is characteristic of post-Dayton Bosnia and Herzegovina, referring to its many societal and ethnic divisions relating to it as *'our traditional society means that at lower levels is more difficult for women to be elected. I think that urban-rural divisions and economic development of the areas are influencing the numbers of women elected. We know that for example Livno [Canton 10] is economically under-developed area of the country and has almost no women elected in the Assembly'* (14P, 2017).<sup>80</sup> Also, the division of the Federation of Bosnia and Herzegovina into ten Cantons was identified as the major root cause for decentralisation of this part of the country, which in turn had a negative impact on the political representation of women. A young party official explained the impact the complexity of this situation *'if you are a party, to motivate and get women activated, in urban areas you can go around constituency using a single tram ticket, while in rural areas, you have to travel for hours by car in order to get to people'* (16P, 2017)<sup>81</sup>. Another difference is that in urban areas, people

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<sup>79</sup> Interview with the representative (b) of one of the international organisations in Bosnia and Herzegovina held on the 22<sup>nd</sup> of November, 2017

<sup>80</sup> Interview with a woman politician (c) held on 23<sup>rd</sup> of November, 2017

<sup>81</sup> Interview with a woman politician, one of the youngest vice-presidents of one of the country's main political parties held on the 26<sup>th</sup> of September, 2017

talk about politics even when they are socialising and in rural areas they do not do this as they have different types of interest, therefore given these barriers the women who manage to get elected into Cantonal Assemblies in these areas are heroes (16P, 2017)<sup>82</sup>. That the Federation is highly decentralised, is demonstrated by the fact that Ministers at Cantonal level are not even responsible to government structures at a higher level (16P, 2017)<sup>83</sup>. The number of ministers at Cantonal level at 142, as an example of the complexity of the institution system, was considered by this interviewee to be an economic drain that hinder economic development as did the veto that could be exercised at every level to block political decisions and policy initiatives (16P, 2017).<sup>84</sup>

Other participants, believe that the international ranking system focuses only women in parliaments, is used to a positive image of the state in the eyes of the ever-present international community. When asked about discrepancies between the numbers of women at national and sub-national levels, one of the female parliamentarians at the Entity level answered:

*'I believe that this is because the international community is monitoring national level and numbers of women in the national parliament are under higher scrutiny and that is why we have an increase of women there' (2S,2017).<sup>85</sup>*

According to the majority interviewees (10M, 2017; 9V, 2017; 18R, 2017; 1O, 2017; 14P, 2017; 14D, 2017; 6S, 2017; 13H, 2017; 13C, 2107; 16P, 2017; 18Z, 2017; 28Z, 2017; 1B, 2017; 2C, 2017) the real power and financial incentives are at lower levels due to the structure and this is why the numbers of women representatives in these legislatures are lower. One of the statutory agencies' members stated that, for her, the truth is that the real money is much more concentrated at the local level and lower levels of government. If men find some positions unattractive, they are leaving them to women. She believes also that this might be one of the reasons why there are more women at the state level, elaborating: *'You can see that at the state level, we very often have political blockades since we almost constantly have a blockade from Republika Srpska. On the*

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<sup>82</sup> Interview with a woman politician, one of the youngest vice-presidents of one of the country's main political parties held on the 26th of September, 2017

<sup>83</sup> Interview with a woman politician, one of the youngest vice-presidents of one of the country's main political parties held on the 26th of September, 2017

<sup>84</sup> Interview with a woman politician, one of the youngest vice-presidents of one of the country's main political parties held on the 26th of September, 2017

<sup>85</sup> Interview with a woman politician (a) held on the 23<sup>rd</sup> of March, 2017

other hand, the lower levels of government have no problems with the passing of laws. So, where we have more possibility for financial gains, we have more men involved' (24H, 2018).<sup>86</sup> Another respondent, the experienced woman politician who was delegated to the House of Peoples of Bosnia and Herzegovina elaborated more on this point, including the 'spread of wealth' and describing the lower levels of the legislature as places where 'the real change can, and does happen':

*'I think this is because it is more popular, more interesting, and life happens at the lower levels. All the most important decisions are there, as well as corruption and nepotism. When you analyse, the state level is the most transparent. We are always criticised, scrutinised, we are like 'the good son'. The international community knows that lower levels are corrupt and murky. That is just the way it is' (17Z, 2017).*<sup>87</sup>

This statement is one for which it could be said that best describes the perceptions of both elite interviewees who took part in this study, and the public in general.

Very often, post-Dayton Bosnia and Herzegovina, as we saw in earlier chapters, is described as the 'frozen conflict' (Perry, 2019), 'asymmetrical consociation' (Kasapovic, 2015), and 'semi-protectorate' (Belloni, 2001), all of which assume the need for the heavy presence international community in this country, as well as for the role it plays in resolving continuous internal political and ethnonational quarrels. Belloni (2001: 164) argued that the 1995 Dayton Peace Agreement 'provides legal foundations for the international community to intervene in practically every sphere of Bosnian affairs, from organising elections to supervising local authorities, from monitoring human rights to implementing regional arms control programs. Even the police and the judiciary have moved substantially under international control'. The picture of the international community in Bosnia and Herzegovina painted by those interviewed for this thesis, is quite negative. There are people, however, who believe that: '*...many international organisations are insisting on gender equality but the institutions in Bosnia and Herzegovina are not giving it enough importance*' (18R, 2017)<sup>88</sup>, and some who believe that there is a '*light at the end of the tunnel,*

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<sup>86</sup> Interview with one of the state agencies' representatives (b) held on the 28<sup>th</sup> of June, 2018

<sup>87</sup> Interview with the representative of the civil society sector held on the 24<sup>th</sup> of March, 2017

<sup>88</sup> Interview with a male politician (b) held on the 20<sup>th</sup> of December 2017

*regardless of the presence of a myriad of problems*'. One of the respondents considered that all the aspects discussed in this chapter so far, have a negative impact, but on the other hand, he believes that even these negative factors can act as a motivator for women to become politically active since by recognising and campaigning for the *'real issues in' their local communities women can make strong cases for themselves to get elected*' (6S, 2017).<sup>89</sup>

Interviewees perceived that the post-war re-patriarchalisation of society in Bosnia and Herzegovina led to the de-emancipation of women, and this was more apparent at the lower levels of government, that is the Cantons. Earlier chapters have shown that ethnic divisions did not have much impact on the level of women's political representation at this sub-national level, mainly because geographically and administratively, all Cantons except for two ethnically heterogeneous, are structured around ethnonational groups. The analysis of interviewee perceptions, however, supports the findings that rural-urban divisions, economic development as well as the political ideology of the parties had a much stronger influence on women's role in the public sphere within Cantons. The lower levels of government are perceived as murky and less transparent, with high levels of corruption and nepotism. This has an impact on women across the whole society. Being side-lined and largely absent from the decision-making, male-dominated bodies, especially at the Cantonal level of government where the majority of policies are made, women have a limited influence on decisions that impact their everyday lives. This has resulted in differences in social or pro-women policies at the Cantonal level, and also differences in the implementation of the laws and policies adopted at the higher levels of government. One such example is the Maternity Benefit payment, which is regulated by the Labour Law and the Law on the Fundamentals of Social Protection, Protection of Civilian Victims of War, and Protection of Families with Children at the level of Federation of Bosnia and Herzegovina. The implementation of this law, however, has been devolved to the Cantonal level, which resulted in wide discrepancies in Maternity Benefit payments from Canton to Canton. So, for example, while in Sarajevo Canton (Canton 9), Maternity Benefit payment for working mothers is 60% of the average wage in this Canton, women living in Posavina Canton (Canton 2) do not define policies regarding this issue, and Maternity Benefit does not exist.<sup>90</sup>

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<sup>89</sup> Interview with the representative of one of the state's Parliamentary Commissions held on the 21<sup>st</sup> of December 2017

<sup>90</sup> See <https://zenskamreza.ba/u-kojem-dijelu-bih-porodilje-u-najvecem-obimu-mogu-ostvariti-svoja-prava/>

## Conclusion

The interlocutors interviewed for this study when describing their experiences of the Dayton Peace Agreement, the institutions it created, and the political system it established emphasised as overarching themes that have impeded women's political progress the ethnonational political discourse and complex geographical and administrative divisions within the state. In order to improve their political representation as well as their position in public life in general, women in this polity have to contend with deep-rooted scepticism by the electorate, and by political leaders, who doubt women's ability to defend ethnic groups political rights.

Most of the interlocutors commented on the mutual impact of these ethnic quotas prescribed by the Dayton Peace Agreement, and gender quotas, which were introduced in the election process at the candidate lists level, as an affirmative measure in order to increase the numbers of women in legislative bodies. They perceived the implementation of gender quotas to be slow and ineffective, in that they were resisted and undermined by political elites. The Cantons are a very visible and real, representation of the ethnic structure of local communities, and the view of the interviewees are that at this level the impact of traditional gender values and stereotypical roles for men and women especially in rural and poor areas present a major barrier to women's political engagement. This can be seen in the low level of women representation in Cantonal Assemblies for most of the post-war period and their very low level of local leadership roles. The analysis of qualitative data in this chapter has elucidated the impact of the fragmentation of the political system and the discursive marginalisation of potential women candidates by their political parties.

In analysing perceptions of different groups of interviewees about women's experiences of the impact that Dayton Peace Agreement on the political representation of women corroborates to some extent the finding of the earlier chapters that the sole focus on ethnonational narratives in the current political environment adds to the marginalisation of the issue of gender equality and hinders the development of serious strategies and policies aimed at addressing the real concerns related to the position of women in the country's political and public arenas, as well as in their everyday life. However, it also goes further than this as the views of these elite groups are clear that the Dayton Peace Agreement and its institutions are at the root of the problem for women,

allowing other barriers to women's advancement to go unchecked. This has a wider impact on women's lives as the side-lining of women in the public sphere impacts negatively on the creation of pro-women policies. Given that the Dayton Agreement invest the implementation and also the making of policy in the lowest level of government this has resulted in wide differences in the way in which these policies influence women's lives, depending on the area of the country they reside in, while at the same time making it harder for women or organise to promote equality.

## Conclusions

This thesis asks has the Dayton Peace Agreement and the structure of political institutions it put in place, created barriers for women in terms of their political engagement? On balance, it has concluded that the complexity of the political institutions in Bosnia and Herzegovina and the rigidity of the way in which ethnicity has been privileged at every level of the political system has had a detrimental impact on the state and on the position of women. This is demonstrated by the fact that although Bosnia and Herzegovina shares similar outcomes in terms of its political party structure and a negative environment for women with other post-socialist states in the region this does not explain the comparative disadvantage of women here compared to other states. The research contributes to the international literature on gender and consociationalism (Rothchild and Roeder, 2005; Byrne and McCulloch, 2012; Kennedy, Pierson and Thomson, 2016; Deiana, 2016; McWilliams, 2016; Murtagh, 2017; Ashe, 2019), by examining the way in which ethnic cleavages that are a corner stone on which consociational settlements are built, negatively impact on women. It demonstrates that it is not just the direct impact on women's political representation but that the weakening of the central state and the failure to accommodate future development of the state, indirectly have a negative impact on women. The research also engages in the debate on 'constituent groups' and their right to exercise veto powers (Lijphart, 1977; Luther 1999; McEvoy, 2015; Kapidzic, 2015), by offering an alternative way in which these powers are could be defined and invoked. The thesis also contributes to the literature on gender and post-socialist states (LaFont, 2001; Usha, 2005; Ballington and Matland, 2004; Racioppi and O'Sullivan See, 1995; Prunskiene, 1995; Zarkov, 1995; Morokvasic, 1997) as well as the regional literature on barriers to political participation of women (Kadribasic, 2017; UNDP/UNWomen, 2019) in particular in sub-national legislative bodies (Aganovic, Miftari and Velickovic, 2015; Kadribasic, 2017). It does this through its comparison of Bosnia and Herzegovina to other similar states in the region and through its detailed examination of the Cantons of the Federation of Bosnia and Herzegovina. The thesis uses this analysis to draw lessons from the impact of the Dayton Peace Agreement and in particular its gendered aspects on Bosnia and Herzegovina that can be used to inform future agreements that are based on the tenets of consociationalism.

Post-Dayton Bosnia and Herzegovina, like other post-socialist and post-conflict deeply divided societies in the region, has a highly fragmented political party system and the initially small number of women in politics. While other states in the region increased the percentage of women in their parliaments, in Bosnia and Herzegovina, the numbers of women at the state level only rose slowly over time. In most post-socialist states, the spread of gender quotas in 2006, positively impacted on the political representation of women in national parliaments (Dahlerup, 2006; Hughes et al., 2015; Rashkova and Zankina, 2017). The two post-conflict states Kosovo and North Macedonia, showed the highest women's representation, with 30% and 27.5% respectively. In these two countries, gender quotas were embedded in the implementation of their respective peace agreements. In Bosnia and Herzegovina, the slow and limited implementation of gender quotas resulted in a much lower representation of women as it stood at 14.3%, and only with the implementation of increased gender quotas for the higher levels of the political institutions in 2014, the representation of women increased to 21.4%, bringing the percentage of women in the National and Entity parliaments somewhat nearer to the regional norm. The increase of the number of women in legislative bodies in Bosnia and Herzegovina did not improve since women's access to leadership positions, both in government and in the political parties, has remained very low. While women's representation at the Cantonal government level in the Federation of Bosnia and Herzegovina has been geographically variable and erratic, with women being particularly poorly represented in some Cantonal Assemblies. The cumbersome governance system has meant that achieving policy reforms such as the introduction of gender quotas for the political institutions has been slow and problematic. The changes in the Election Law of Bosnia and Herzegovina in 2003, which aimed to increase gender quotas for candidate lists from 30% to 40% took ten years to implement and did not have an impact on electoral results until the 2014 general elections.

Also compared to other states in the region, Bosnia and Herzegovina has an extremely low level of economic development, which is also a result of the slow and difficult process of economic policy making and the fractured nature of the state including the high level of power over economic policy making that resides in sub-national levels of government, such as the Cantons of the Federation of Bosnia and Herzegovina. This lack of economic development has had an ongoing negative impact on women, including on their political engagement. At the level of the Cantons, the thesis found that it was the level of economic development rather than ethnic divisions that

appeared to have the most direct impact on the numbers of women represented in the Cantonal Assemblies, with those Cantons with higher levels of economic development tending to have higher levels of women's representation. For example, the three poorest Cantons have the lowest numbers of women elected to their Cantonal Assemblies. The level of homogeneity of ethnic composition did not have a direct impact on the representation of women in Cantons. It did not seem to matter if a Canton had a single ethnic concentration of over 90% or it was more ethnically mixed. The three ethnically homogeneous Cantons, one with a Bosniak majority and two with Croat majorities, had the lowest levels of the political representation of women, but they are also the three least developed Cantons. Women's experience of political engagement is a result of an overall negative impact of the Dayton Peace Agreement on all aspects of the development of the state.

In the literature, it is the freezing of ethnic cleavages in peace agreements that are based on the tenets of consociationalism that is the key criticism of the potential of this form of peace settlements to provide a lasting and sustainable solution (Byrne and McCulloch 2012; Kennedy, Pierson and Thomson, 2016; Murtagh, 2017). This thesis adds to this literature by demonstrating that the way in which ethnic divisions were embedded into the peace settlement has had a negative impact on the development of the state both economically and politically and also that women have been particularly disadvantaged by this situation. In post-Dayton Bosnia and Herzegovina, ethnicity is embedded into the governance structures, becoming a cornerstone of the division of the country into two Entities. One was an ethnically homogenous and institutionally centralised Entity of Republika Srpska and the ethnically mixed Entity of the Federation of Bosnia and Herzegovina, which was further subdivided into 10 Cantons to reflect the pattern of ethnicity and ensure as far as possible the ethnic homogeneity of individual Cantons. The division of the state-level governance and devolution of the many legislative and policy-making powers to the level of Entities, resulted in a continuous erosion of the power of the state, making the national level government structure weak and ineffective. Similarly, in the Federation of Bosnia and Herzegovina, the high level of law-making powers of the Cantons undermines the role of both legislative and executive bodies of governance. The extremely negative impact of enshrining ethnicity into the institutional structure of governance of the state level is unpinned by the veto powers, which the peace settlement guaranteed to the main ethnonational groups.

The veto power of all significant groups represented in a society is one of the main tenets of consociational peace settlements and is designed to allow ethnic groups in a post-conflict, deeply divided society to defend their ‘vital national interest’ (Lijphart, 1977; Luther 1999; McEvoy, 2015; Kapidzic, 2015). This thesis adds to this literature by describing, in this case, how the frequent use of the veto powers slows any meaningful development in law and policy often preventing progress completely, to the detriment of political, economic development, and social reform, with inevitable negative consequences for women. The embedded use of the veto powers impacts women in a number of ways that reduce their access to leadership positions and their chances of being elected. Both political party elites, and society in general, perceive women as less capable of defending core ethnonational interests and of making use of this mechanism to protect the interests of their ethnic group. It entrenches traditional views of leadership and women’s social roles and by preventing economic development it reduces a potentially positive process of change that could enhance women’s engagement in the country’s public life.

In the Dayton Peace Agreement, the use of the veto is underpinned by the extremely inflexible and narrow way in which ‘constituent peoples’ are defined as only the three recognised ethnicities, namely the Bosniaks, Serbs, and Croats. Only these groups can exercise the veto powers, as determined by the consociational rules, and only individuals who declare themselves as a member of one of these three groups can be delegated or elected a member of the highest state-level institutions. Those who self-define as members of a minority group or just as citizens, are placed into a category of ‘Others’, and do not have access to participation in the high level political institutions. The exclusion of ‘non-constituent peoples’ as a discriminatory practice has been successfully taken to the European Court of Human Rights, but none of the rulings of this court have so far been implemented. As this provision of the Dayton Peace Agreement makes it impossible for any political group organised around an issue or set of issues that is not ethnicity it also deters women from organising politically as women, since, unless they declare to be representatives of one of the three ‘constituent peoples’, their representatives would have no right to be elected to the House of Peoples or The Presidency of the country. The narrow way in which ‘constituent peoples’ were defined, the side-lining of a category of ‘Other’, and the failure to

reform this provision over time has impacted negatively on women as it supports the continuing strength of political parties based on ethnonational affiliation.

The question of to what extent the negative outcomes for women can be attributed to the Dayton Peace Agreement can be seen not only in the dominance of ethnically based parties but also in the fragmentation of the political party system. The post-Dayton Bosnia and Herzegovina while it has seen the maintenance of strong electoral support for ethnonational parties, even if actual party configurations vary between elections, it has also seen a very large number of political parties contesting elections at all levels. A consequence of this is that women find it harder to move in to politics and to achieve leadership positions as the ethos of the nationalist parties militates against this. In the elections for Cantonal Assemblies, there is a clear relationship between ethnically based parties and social democratic and civic parties that claim to be non-ethnic. Social democratic parties, on average and over time, performed better than nationalist parties in terms of the percentage of their elected members who are women. In addition to this, the large number of political parties also impedes women's chances of being elected since in a fragmented party system only a small number of candidates from the list will be elected and party leaders, who are mostly men, are placed at the top of the list and women placed in lower-ranked positions will not be elected (Aganovic, Miftari and Velickovic, 2015).

The fragmentation of the party system is very acute at the level of the Canton, in addition to this as this is where the economic power resides and public spending priorities are determined in the Federation of Bosnia and Herzegovina, and this has made the political competition for elected office stronger and therefore has disadvantaged women. A lack of international scrutiny at this level of government along with the capacity to spend public funds has facilitated the growth of corruption, which adds a financial incentive to gaining political office. A wide range of interviewees perceived the lower level of government as less transparent than the higher levels that were subject to scrutiny, and also that they were more difficult to regulate. While the complex, ethnically based structure put in place by the Dayton Peace Agreement does not have a simple relationship to the level of women's political representation all the aspects of the political system discussed above act as barriers to women's political engagement. The strongly held view of the

majority of the individuals interviewed for this research was that the Dayton Peace Agreement was bad for women.

In analysing the impact that the Dayton Peace Agreement has on the political representation of women in Bosnia and Herzegovina the conclusion drawn is that the focus on ethnonational narratives in the current political environment adds to the marginalisation of the issue of gender equality. It also hinders the development of serious strategies and policies aimed at addressing the real concerns related to the position of women in the country's political and public arenas. This coupled with the way in which the Dayton Peace Agreement is implemented and its permanent use by the ethnonational political elites as a tool for their continuous battles should be considered as valuable lessons learned to bring to the negotiating table of future peace agreements that are underpinned by this theoretical framework. The key areas of concern that this research identifies are; the inclusion of women in discussions and negotiations on an initial peace settlement; the implementation of gender quota systems; the way in which the constituent groups are defined; the way in which the use of the veto powers is defined; and the design of the institutional structures to allow societies future development.

The importance of women actively participating in peace negotiations is emphasised in the literature (Meintjes et al. 2001; Bjorkdahl, 2012) and the absence of women in the Dayton negotiations was felt by interviewees unpin women's ongoing disadvantage. The negotiations in Dayton were described as a 'dialogue of men' (Bjorkdahl, 2012), where only the leadership of the three main warring parties took part. No other group of society, including women, was either present or represented at this negotiating table. This was an outcome of the fact that no women were members of the highest echelons of the political leadership of ethnonational groups that actively took part in the peace negotiations. Unlike corporate consociational agreements, the liberal agreement leaves more room for diverse political groups to take part in shaping the final agreement, this is achieved through an election prior to the final agreement followed by a representative assembly based on that election. The political groups attend that assembly on the basis of the level of their voter support. In the case of the Northern Ireland Good Friday Agreement as the support threshold was set very low it allow small parties to be represented and also for women to establish a women's political party the 'Women's Coalition and take part in the assembly

promoting women's issues (Byrne and McCulloch, 2018). Unlike a stringent, corporate settlement, such as the Dayton Peace Agreement, based on strict divisions of power between the ethnonational groups, the liberal type of consociational arrangement in Northern Ireland allowed for a wider range of groups and issues to be included both immediately after the conflict and at the later stage of the peacebuilding and integration process. For example, in Northern Ireland, the Women's Coalition ensured the establishment of a Civic Forum, an advisory body to the Assembly on different issues of economic, social, and cultural nature. The Civic Forum also acted as a mechanism that civil society could use to measure the performance of the new democratic institutions (McWilliams, 2016).

Consociational agreements need to address the necessity of implementing gender quotas alongside ethnic quotas as part of the settlement. Unlike some other post-conflict societies in the region, where gender quotas were imposed from the start, leading to a much higher representation of women in their legislative bodies, The Dayton Peace Agreement did not make such provisions. The gender quotas, stating that 30% of the candidate lists must be women were introduced prior to the second post-war elections in Bosnia and Herzegovina, as this election also had closed candidate lists, it resulted in a massive increase in the number of women represented in the state-level House of Representatives, from 2.4% in 1996 to 26.2% in 1998. Such a high number of women in the state-level parliament was not repeated at any following elections as the closed list provision was abandoned leaving political partners free to manipulate the lists to the disadvantage of women. But it did demonstrate that at an early stage in the development of the post-war state it was possible to have gender quotas and ethnic quotas simultaneously. There are no reasons why the provisions for legislated gender quotas could not be embedded in the future peace agreements and imposed in the way the ethnic quotas are, guaranteeing a higher representation of women in a countries' public and political life in post-conflict societies. An equal gender representation clause in the form of gender quotas could be enshrined in law and in a constitution in the same way the ethnic quotas are.

However, even if a negotiated agreement included gender quotas as well as ethnic quotas, this would still not in itself guarantee the creation of a more egalitarian or just society for women. It would also be necessary to weaken the ethnonational cleavages to enable citizens to become less

focused on the perceived interests of their ethnic group and develop a stronger focus on cross-community and civic interest that could collectively cultivate a stronger belief in the long term validity of the reformed state. In this regard, consociational peace agreements have been criticised for not providing conditions for the integration of different groups in society (Aitken, 2010; Howard, 2012). This criticism is justified in the context of the Dayton Peace Agreement. This thesis contributes to this debate by proposing that in the case of Bosnia and Herzegovina it is necessary to recognise a category of 'Others', as the fourth 'constituent group', besides the three main 'constituent groups' of Bosniaks, Serbs, and Croats. By recognising this category as the fourth 'constituent group', national minorities, ethnically undeclared citizens of Bosnia and Herzegovina, and other categories of society would gain the right to be elected to the highest political institutions of the state, which would contribute to the integration of all groups in a post-conflict society. Without the political will of the ruling ethnonational political elites, and the strong, constructive, and pro-active support of the international community, these changes, however, would be difficult to achieve. A category of 'Others' should be included in peace settlements as this would allow for the future development of the political system and the evolution of party support that would have at least the potential to weaken entrenched ethnonational divisions. In the case of Bosnia and Herzegovina the creation of a fourth 'constituent group', the 'Others', would mean that the Presidency of Bosnia and Herzegovina would gain a fourth member from the category of 'Others'. The decisions in the Presidency would be decided by a majority vote and not by consensus. The 'Others' should also be represented in the state-level House of Peoples. 'Others' would not only the right to represent their own interest but also to exercise the defence of 'vital national interests.

The veto power allows the representatives of the three 'constituent' Bosniak, Serb and Croat peoples, in the case of any decision or legislation, to invoke one of the three mechanisms of the mutual veto powers, namely the 'Entity voting'; the majority voting in both houses of parliament; and the protection of the 'vital national interest' clause, which is achieved through the House of Peoples. Invoking protection of 'vital national interest' entails the formation of a joint commission tasked with finding a compromise. The failure to reach the compromise results in turning the political process into a judicial one, causing considerable delays in reaching political decisions that could bring positive changes in society. What constitutes an issue of 'vital national interest' needs

to be clearly defined. The experience of the Dayton Peace Agreement shows that if ethnonational groups are given unrestricted right to declare any issue to be a ‘vital national interest’, they will exercise that right. In Bosnia and Herzegovina for example, the leader of the HDZ BiH nationalist party invoked ‘veto powers’, in a disagreement on an amendment to the law proposing increased taxes for the gambling industry, as a majority of owners of casinos and bookmakers reside in Western Herzegovina where this political party has the strongest electoral support.<sup>91</sup> Another example is that of a member of state Presidency from Republika Srpska and his continuous and open threat to destabilise the state institutions by invoking the ‘vital national protection’, by blocking all decision-making processes at this level, ranging from decisions regarding the country’s foreign policy to exercising ‘veto powers’ to prevent utilisation of the state own helicopter in extinguishing damaging wildfires in Jablanica region which is in the Federation of Bosnia and Herzegovina.<sup>92</sup>

To avoid similar experiences and the damaging impact of this unrestricted use of the veto on the development of post-conflict societies, future peace agreements should make provisions for clarity in defining circumstances under which the veto powers should be used. The clear and specific definition of the needs of all ‘constituent peoples’ should be legislated for and the right of each group to exercise veto powers should be linked to these specific rights. The protection of each group’s equal participation in political and legislative bodies, protection of its cultural heritage or the use of language, for example, should be enshrined in law, and the type of policies it should cover should be clearly defined and guaranteed through an established mechanism, such an executive body that has the powers not only to monitor the way in which these rights are exercised, but it should have the powers to penalise refusal or slow implementation of these groups rights.

Consociational peace agreements do not give enough attention to the future peaceful evolution and development of the societies they are applied to. The Dayton Peace Agreement created an unwieldy, complex and slow-moving inflexible institutional structure based on an inflexible accommodation of ethnic divisions on the ground. This has meant that ethnic groups have tended to become detached from the state focusing on their primary political institution, making the state

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<sup>91</sup> <https://faktor.ba/vijest/zasto-je-hdz-protiv-placanja-poreza-jesu-li-kladionice-nacionalni-interes-164614>

<sup>92</sup> <https://www.rtvslon.ba/dzaferovic-radi-se-o-ociglednoj-blokadi-institucije-predsjednistva-bih/>

less viable in the eyes of its population. This weak attachment to the state continues to impact negatively on women in post-Dayton Bosnia and Herzegovina. In order to create a more sustainable and democratic society that provides for the rights and needs of all, future peace negotiators should use a more adaptable form of consociational arrangement, using a staged approach in situations that aim to end a high-level armed conflict. The experience from the Dayton Peace Agreement demonstrates that building the peace and new society only by considering the rights of the three main 'constitutional peoples', and side-lining the rights of all other groups in society, including women, does not prove a good platform for further development of the post-conflict society. In order to engage in the process that is transformative and inclusive, creators of future peace agreements should consider the rights of all groups, including women, and their interest should be embedded in the constitutional structure of the new, reconstructed state. Provisions should be made for women to take part in peacebuilding processes, and also to guarantee their continuous and meaningful engagement in the polity's public and political life, through legislative gender quotas that are implemented in the same way as ethnic quotas are, guaranteeing equal participation of women in the new society. This, along with the more inclusive definitions of a 'constituent group', and that is flexible enough to include other future categories that would emerge in society. Also in order to reduce the misuse of the veto powers clause, clearly defined definitions of these powers should be a part of legislative guarantees for all groups in society.

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