

Bosnian Women's NGOs Involved in Peace and Reconciliation Initiatives: Gender and Memory After War

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Abstract

Women's nongovernmental organizations in postwar Bosnia and Herzegovina have been labeled as natural peacemakers on a local and international level (Helms, 2003, 2010, 2013). Even though maybe they have a natural instinct for forgiveness and rebuilding relations with ethnic others, I argue that their peacebuilding, reconciliation, and justice activism has more than that. In oppressive political conditions in BiH, they use apolitical, affirmative essentialist representation and sometimes political labels to achieve their ultimate goal – peaceful living conditions for all citizens in BiH. However, in achieving their strategic aims, they face multiple issues, or to be a specific ghost from the war past they do not want to return, but keep haunting them. In order to escape this haunting past, women activists sometimes silence their need for justice. This silence has produced some form of peace or thin reconciliation. However, they have still not gained the trust needed to deconstruct images imposed on them and look at each other without seeing ethnicity, potential problems, and falling apart. In this thesis, I evaluate the justice, reconciliation, and peacebuilding initiatives of women's NGOs in BiH to find patterns and logic behind their activism and raise questions about how they can work closely and honestly. I question the limits of feminist solidarity, why justice and reconciliation can not go together and are citizenship rights a new impetus for women's led organizations in postwar BiH.

Declaration

I hereby declare that this thesis is the result of original research; it contains no materials accepted for any other degree in any other institution and no materials previously written and/or published by another person, except where appropriate acknowledgment is made in the form of bibliographical reference.

I further declare that the following word count for this thesis are accurate:

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Signed: Marija Cvejic

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List of Abbreviations

BD – Brčko District

BiH – Bosnia and Herzegovina

DA – Dayton Agreement

EU – European Union

GBV – Gender Based Violence

ICTY - International Criminal Tribunal for the former Yugoslavia

NATO – North Atlantic Treaty Organization

NGO – Nongovernmental Organizations

OHR - Office of the High Representative

RS – Republika Srpska

SFRY - Socialist Federal Republic of Yugoslavia

TRC – Truth and Reconciliation Commission

UN – United Nations

WCC - War Crimes Chamber of the State Court of BiH

Chapter 1: Introduction

Ever since I was a little girl, I dreamed of becoming an activist. This feeling was the strongest when I would watch some American blockbuster movie that showed unrealistic stories of reaching social justice. The dream became a reality, but of course, not the unreal American movie version. It has been almost ten years that I have been feeling trapped in logic imposed on me by women NGOs in Serbia. This logic has deeply been connected to donor's agendas, governmental discourses and less to creating social change. In order to escape from this oppression, I have decided to take another path or, better said, research discourses of women nongovernmental organizations (NGOs), but not in Serbia.

I focused on women's NGOs in Bosnia and Herzegovina (BiH) because I feel close and distant enough to discuss their gendered discourses on justice and reconciliation and not be too implicated or at the core of a scene. My origin from Serbia creates a form of trouble for me. I do and do not identify as a Serb at the same time. There is an internal conflict about my ethnicity that I have not resolved, and I probably never will. While I write this thesis, I cannot think in English even though I write it in English. My notes are in Serbian because it is the language in which I can express myself best – what I feel, think, want. I always think that some words are missing when I talk and write in English. Language is just one part of my Serb inheritance that will always be a part of my identity. However, I disagree with many political choices and prevailing narratives in Serbia. I decided to distance myself in this case because I find it easier to write about implications Serbia had and has in postwar Bosnia and Herzegovina.

My thesis will focus on a limited number of responses/initiatives of justice and reconciliation of women's nongovernmental organizations in BiH. It will be based on the field research I did. The method and theoretical framework will be explained in the following sections of this chapter.

Project Design

When I came to Central European University, I had the idea to research male survivors of sexual violence in the Bosnian war. I have worked as a case manager in Belgrade for several refugee men who survived sexual violence, and I remember how their trauma, healing, and reintegration were very closed processes. They never mentioned their traumatic experience and needed to flirt with every woman in their area. It was a way for them to exit the victim role and prove that they are masculine enough. Also, the movie *Muškarci ne plaču* (Men do not cry) motivated me to think about this topic even more. This movie tells a story of a group of middle-aged Croats, Serbs, and Bosniaks¹ war veterans in BiH attending a group therapy session that unravels atrocities they were forced to commit and were committed towards them during the Bosnian war. It deconstructs stereotypes about men by showing multiple sides of their personalities.

Even though this topic was interesting for me initially, university courses gave me a bigger picture of issues that I could research. On the other hand, from the very beginning, I knew that I do not want to do any direct research work with victims of war atrocities because I did not feel comfortable with my ethnic background and the topic. The biggest war atrocities against the ethnic other during the Bosnian war were committed by the Army of Republika Srpska that consisted out mostly of men of Serb ethnic background. Just in Srebrenica, more than 8,000 Bosniak civilians were killed by the Serb forces. I have often been read just as a Serb, which would often lead to an association of me with committed war atrocities. For that very reason, I felt discomfort to do any research that implied direct work with victims. It could cause harm to both victims and me. My focus went more towards women's nongovernmental organizations in postwar Bosnia and

¹ Ethnicity in former Yugoslavian countries is mostly assumed on religion. In Bosnia and Herzegovina, Serbs are perceived as Orthodox Christians, Muslims as Bosniaks as Muslims, Catholics as Croats. Yugoslavians would usually be associated with atheism (Sorajbi, 1994).

Herzegovina because they represent a structural form of resistance to war and militarized politics. It seemed like a more tangible source to research. Also, they have been given the leading role in the reconciliation process and alternative justice because governmental representatives were and are primarily focused on territory management and keeping the integrity of the entity (in Republika Srpska) or consolidating the country (Federation BiH)². Governmental structures have mostly reinforced ethnic division and spread nationalist narratives instead of dealing with social issues and recovering citizens from trauma to reach peace with themselves and the community. For that very reason, I did not consider researching governmental responses, and I decided to look at the women's nongovernmental initiatives.

After consultations with my thesis instructor, who has provided me with an extensive overview of issues women's nongovernmental organizations face in BiH, I narrowed my interest to how women's NGOs work on justice and reconciliation and the political pressure they experience. Often organizations have to make strategic decisions on what to say or not to say. I wanted to capture those moments of silence and loud resistance and how women's NGOs cope with multiple levels of pressure from the donor community, government, and local population.

² Bosnia and Herzegovina (BiH) are divided into two 'entities' based on ethnicity—Republika Srpska (RS), populated mainly by Serbs, and the Federation of BiH, populated mainly by Bosniaks and Croats — plus the multiethnic Brčko District (Helms, 2003; O'Reilly, 2016).

Fieldwork, Method and Limitations

This is an ethnography on women's nongovernmental organization's justice and reconciliation initiatives in postwar Bosnia and Herzegovina that is based on the data collected mainly from July 2020 until July 2021. I have spent 3 months in BiH in the following places: Sarajevo, Zenica, Tarčin, Čapljina, Bijeljina, Banja Luka, Konjević Polje, and Potočari. Locations of my fieldwork were based on the need of women's NGOs where I did internship and fieldwork. In some places, I spent a couple of days (Konjević Polje) and in some more than a month (Sarajevo). One part of my internship was conducted with the women's NGO Foundation CURE (GIRLS) from Sarajevo, in the Federation of Bosnia and Herzegovina. The second part of the internship was with the women's NGO Udružene Žene (United Women) from Banja Luka in Republika Srpska. My usual daily tasks consisted of following events, conferences related to justice and reconciliation, writing meeting minutes, doing focus groups, data processing, and sometimes just gossiping with women activists. I have conducted some parts of my internship online through writing reports and data processing. The Covid-19 pandemic made my fieldwork more challenging. Still, everyone I met during this research period made me forget that we were in the middle of a global pandemic. Women activists and people in the street where I lived invited me for coffee to hang out with them on a daily level.

In addition to the ethnographic fieldwork, this research is based on online and onsite interviews with women activists who work on reconciliation and justice issues in postwar Bosnia and Herzegovina. They are representatives of women's and human rights nongovernmental organizations in Sarajevo, Banja Luka, Bijeljina, and Podrinje Valley (eastern BiH) - Foundation CURE, Youth Initiative for Human Rights, and Let's play together, United Women, Lara, and Association of women Jadar. Due to the short time I had to obtain consent from each person to

cite, I will use pseudonyms but write the exact places and names of the organizations where they work when appropriate. In some cases, I will not reveal identifying details to obtain the full anonymity of persons. However, in some cases, I will use full names when referring to statements given in public events. In one case, I have used the same pseudonym as Elissa Helms in her book *Innocence and Victimhood: Gender, Nation and Women's Activism in Postwar Bosnia-Herzegovina* since we both wrote about the same person, and there was an important link, an argument to emphasize. Also, I will use publicly available data, news, and articles where I cite public figures with full and correct names.

One of the key limitations is the level of field data I managed to collect and process. Especially taking into consideration that due to the Covid19 pandemic, much nongovernmental justice and reconciliation initiatives were canceled or postponed. I, therefore, had a limited number of initiatives to visit which makes my experience too little to make a strong conclusion. Also, my positionality as a researcher who comes from Serbia brings strong positive aspects (as knowing the local language and culture) and limitations because I have more personal relations for the topics I research. On the other hand, my ethnic identity was labeled differently for each person I interacted with. Sometimes it produced effects of trust and sometimes of mistrust. It also created an impact on how I see my positionality in this matrix of intertwined identity relations.

An additional limitation is that extensive research has been conducted in BiH, leading to mistrust of women activists. "Oh, Elissa Helms is your supervisor. I better watch what I speak. You always make trouble. I remember how Cynthia Cockburn wrote that I like men in uniform (soldiers, police officers, etc.). People still make jokes about it." said one of the central figures in my research. Despite women's activists' careful approach to me, I have managed to gather valuable data. However, this raises an essential question of how future ethnographic research on women's

nongovernmental organizations will look because some representatives have developed mistrust towards researchers.

Why Foundation CURE and United Women (Udružene žene)

I decided to work with these organizations because they openly presented themselves as a feminist, which should somehow imply that their work was more political. In Bosnia and Herzegovina significant number of organizations tried to escape the word feminist (Helms, 2013). Mainly they would identify as women's organizations to present their work as apolitical as possible and sometimes they would use it get foreign support (Helms, 2013). Foundation CURE and United Women did not escape the word feminist, but their interpretation of Feminism was not strictly very political. When I asked Nada Golubovic, founder of United Women, what Feminism is for her, she replied, "Feminism is equality. My son says he is not a feminist, but I tell him he is because he cares about equal treatment of every person in the society." Other women activists from United Women had a similar perception that was focused on personal perceptions about women's rights and equality, and less on social and political movements, ideologies that aim to political, economic, and social equality.

On the other hand, members of Foundation CURE had more political perceptions of Feminism. Jadranka Milicevic, the founder of Foundation CURE, said on multiple occasions that her Feminism is "Fight for equality in personal and public life.". Other women activists of Foundation CURE had a similar stance and connected it to social and political movements and ideologies. Still, not all activists of both organizations declared themselves as feminists or members of the feminist organization. Safe side declaration and the first one was women's organization. For that

reason, I will refer to both organizations like women's NGOs since it reflects the stance of all women activists.

The second reason for choosing them was that both organizations worked on burning political issues, such as justice and reconciliation in postwar Bosnia and Herzegovina. The founders of these organizations were some of the first women activists in BiH who worked on these topics. I considered it to be interesting and see how things have developed 25 years since the Dayton Agreement³.

Positionality - To be or not to be

Four years ago, in the late spring, one of my best friends, Milka, and I went from Belgrade to Sarajevo to attend training about reconciliation through sports that was organized by an Austrian developmental agency. Around twenty participants work with youth from Serbia, Montenegro, North Macedonia, and Bosnia and Herzegovina. The facilitators were from Austria and Bosnia and Herzegovina. They were participants in some training parts, as well, not just facilitators. One of the workshops started with thinking about our identity and moving to places in the venue where we felt that we belong. There was a corner for country-associated identity, nationality, and one corner if we feel that we do not belong to any country. So, there was a Serbian, Montenegrin, Bosnian, North Macedonian, Austrian and non-belonging corner. Corners were not associated with our perceptions about ethnicity that is mostly defined by religion in former countries of Yugoslavia, but with our nationality that is defined by citizenship. Under the pillar of Bosnians, Serbs, Bosniaks, and Croats who live in Bosnia could identify if we take the nationality – citizenship logic. But Serbs from Bosnia and Herzegovina, and Montenegro went to the Serbian

³ “The Bosnian war ended with the Dayton Peace Agreement (properly, the General Framework Agreement for Peace in Bosnia and Herzegovina), brokered by American diplomats and the nationalist leaders of the warring parties” (Helms, 2013, p.28).

corner even though they never lived in Serbia or held Serbian citizenship. My friend took the place of nonbelonging immediately. Interestingly, all Austrians took the same area of nonbelonging. The rest of the participants found their place under some national identity. At that moment I felt a bit confused about where I should go. On one side, there were youth NGO members I did not know, and they took my corner, and on the other end, there was a nonbelonging corner. I felt somehow stuck in between, confused and asking myself what I should choose. Do I belong to the group where Serbs stand, or do I not belong to any corner? But this felt like a lie. I pay taxes, have health insurance in Serbia. I crossed the border with BiH with a Serbian passport. I speak, write in Serbian. So, how can I not be Serbian (Serb)⁴? After a moment of thinking and feeling like Hamlet - to be or not to be. I decided to move to the Serbian (Serb) space.

Our next task was to think about what it means to be Serbian/Serb, and then I realized that I did not belong to that corner or my perceptions were not relevant. For the group where I was, identity was connected to Orthodox religion, Cyrillic letters, national anthem, *šljivovica* (plum brandy)⁵, Novak Djoković⁶, and other “ethnic symbols”. For me, being Serbian was connected to claiming and shaping citizenship rights and obligations in some territorial unit. Usually, I would think about my beloved street in Belgrade, where trees flourish in the spring. It meant somehow belonging to the place where I live, claiming and shaping my rights, following politics, protesting, and facing the ghosts of the war atrocities committed in my name. I felt bad after the workshop. Somehow, being a part of a group where my identity was based on religion, and Novak Djokovic felt ridiculous. I did not want to be labeled with these symbols, but in the end, I was.

⁴ The corner was associated as Serbian (srbijanski) and associated with citizenship rights. However, most people read it as Serb (srpski) or ethnic corner.

⁵ Type of alcohol drink made from plums – typically called rakija. It’s considered among Serbians as a national product.

⁶ Famous world tennis player.

After the workshop, Milka and I talked about how we position ourselves regarding our nationality. Back then and later in my work, I heard similar phrasing by other youth activists *“I am a citizen of the world; I do not identify as Serbian”* or whatever country they were coming from. This implied a certain form of cosmopolitanism and that their citizenship was metaphorical “world citizenship.” This discourse challenges attachments to fellow citizens, the local state, and shared culture and signifies open-mindedness and impartiality. Taking the suit of national identity off as a form of saying, *“No, I do not belong to the Serbian community, even though I live there. This is not a part of my identity.”* Even though we do not want to take the national identity on, the others label it to us.

Being Serbian for the group, Milka and me does not have the same meaning. Still, we cannot control or manage how Serbian citizenship, growing up and living in that country, will look to the outside community or the people we live with. The place I come from is a place of ongoing historical revisionism and denial of responsibility for past war atrocities. Culture of denial or “to know what to know” (Fridman, 2011, p.508) is the essence of existence in Serbia. It leads to mistrust towards other citizens of Serbia and me, which is valid and understandable. On the other hand, it puts me in a specific position as I always somehow represent this blind community that does not want to know.

However, I hope that my thesis will contribute to the women’s nongovernmental organizations to reflect on their discourses in justice and reconciliation initiatives. Also, I hope that I will not produce hard feelings to any women’s rights and feminist activists with whom I worked and who supported me to do my fieldwork during the covid19 pandemic in BiH and my beloved friends I mention under different names. I envision this research to produce some valuable lessons for all

of us trapped in ongoing Western Balkan political and ethnic tensions and administrative paperwork NGO work entails.

Theoretical framework

I mostly rely on feminist scholarship on reconciliation, justice, gender, and ethnicity in BiH in my research. Each of these categories and concepts are unstable and flexible. Gender and ethnic identity or perception on reconciliation and justice can have a different meaning through time for an individual or a group of women activists. Being a Bosnian or Serbian today and in ten years does not have to have the same meaning for a person. Cynthia Cockburn (2007) and Dubravka Žarkov (2003) argue that often ethnic labels are associated with individuals in Bosnia and Herzegovina and do not always reflect a personal sense of identity. Ethnicity was often related to collective identities that have perpetuated and created stereotypes that have made severe effects in countries of former Yugoslavia (Žarkov, 2003; Cockburn, 2007; Helms, 2003). Also, gender does not have the same meaning for someone today or tomorrow, as well. Judith Butler (2004) says that categories, such as gender or ethnicity, are helpful in politics for recognition and claiming rights. Still, they are essentially exclusionary because they are used in the heteronormative matrix. We should always think about how and when do we use specific categories because they are not wrong or right, but they need to be used with a strategic purpose. Both of these identity categories, ethnicity and gender were often read biased and based on presumptions the local community. These two categories, when intersected, often create stereotypes on various aspects. Dubravka Žarkov (2003) says that "the war, violence has already granted the power to produce so much - the 'Serb rapist' and the 'Muslim victim,' 'good' and 'bad' feminists, 'sissies' and 'heroes,' 'mothers' and 'witches'"(p.12). Some of these labels were perpetuated by activists consciously and subconsciously, as well.

One of the key concepts I will use is Elissa Helms's (2003) affirmative essentialism that is based on "Richard G. Fox interpretation - over-simplified but positive characterizations of women" (p.3). This entails "the bulk of women activists' self-representations as they positioned themselves outside politics and within traditionally female domestic and nurturing roles, especially motherhood" (Helms, 2003, p. 22). It represents the identity of a woman as a morally pure character that is passive in the political sphere and a leader in reconciliation and peacebuilding because of her naturally forgiving nature (Helms, 2003, 2010, 2013, 2014). This label was often used by women activists in BiH in order to get acknowledgment for their work (Helms, 2003, 2010, 2013, 2014).

Regarding justice, I will use Maria O'Reilly's (2016) concept of evaluation of gender justice initiatives based on Nancy Fraser's scholarship of gender justice. The author identifies three central injustices according to Nancy Fraser – cultural/symbolic, socio-economic, and participatory or representational injustices that need three intersecting remedies – recognition, redistribution, and representation to dissolve them (O'Reilly, 2016). Each of these remedies can be implemented in a transformative and affirmative manner (O'Reilly, 2016). A more in-depth explanation of this gender justice evaluation concept is provided in the fourth chapter related to justice initiatives of women's nongovernmental organizations.

In terms of peacebuilding and reconciliation conceptualization, I will use the work of Elissa Helms (2010, 2013), Marie O'Reilly (2012), Lina Strupinskiene (2017), and other feminist scholars to make a distinction between these concepts. Elissa Helms (2010) argues how gender patterns are embedded in "the institution of *komšiluk* (good-neighborliness), particularly women's coffee visits where they share the good and the bad" (Helms, 2010, p.28) present reconciliation for women activists in postwar Bosnia and Herzegovina. The author elaborates on gender, ethnonational

relations, and socialist-era models of women's involvement beyond the reconciliation theories. Helms explains that sometimes reconciliation means silence about justice and guilt and that in some cases, it is not possible to achieve. To assess if it is possible, Lina Strupinskiene (2017) develops a reconciliation matrix that looks at different levels, depth, and types of reconciliation that she practically examines in Prijedor, BiH. This matrix represents a valuable tool to look at multiple layers' reconciliation entails – rebuilding trust and forgiveness in political, social, and economic areas on individual, communal and national levels, with thin or thick depth (Strupinskiene, 2017).

I will use Marie O'Reilly's critique of the liberal peacebuilding concept that has been implemented in BiH since the Dayton Agreement (O'Reilly, 2012). For the author, "liberal peacebuilding entails powerful states, international organizations and international financial institutions promoting, and often imposing, policies intended to achieve democratization, good governance, respect for human rights and the rule of law, and developed, open markets (see, for example, Richmond 2002, 2004a)" (O'Reilly, 2012, p.530). She provides a vital gender critique to peacebuilding interventions where she perceives them as creators and driving forces in establishing patriarchal gender norms and hierarchies. A more depth elaboration on reconciliation and peacebuilding concepts will be provided in the fifth chapter.

A Note on Terminology

Throughout the thesis, I will write about gender based on the words of women activists I interviewed and encountered. All contributors of this research have talked about gender on a binary level, focusing only on male and female perspectives. They have elaborated on gender as a social construct and sex as biological. So, I will follow the logic of their words and discuss how they use gender in their daily work. Considering that I perceive gender differently from the women activists I worked with, I think it is important to emphasize my perception. For me, gender represents everyday performance. We are taught to perform gendered patterns to prove our gender identity to prevalent power structures. It is “the repetition, and the failure to repeat, produce a string of performances that constitute and contest the coherence of that “I” “(Butler, 2004, p.18). This means that the distinction between biological sex from social gender is socially constructed. I do not advocate that there is no tangible difference between nature and culture and sex and gender, but that sex is a social construct and that sex is gender. Also, gender shapes a broader concept for me. It is sex, gender identity, sexuality, and sexual orientation, as well.

Ethnicity in former Yugoslavian countries is mostly assumed on religion. In Bosnia and Herzegovina, Serbs are perceived as Orthodox Christians, Muslims as Bosniaks as Muslims, Catholics as Croats, Yugoslavians would usually be associated with atheism (Sorajbi 1994). Sometimes I will emphasize the ethnicity of the person I cite when I consider it is relevant. My presumptions about ethnicity are based on the first and last name, religious affiliations, use of ethnically marked language, political perceptions, and geographical location. Of course, there is a chance that my presumption is not always accurate. Still, this is the way people are perceived by society and how they self-identify.

Also, I will use the “Bosnian war” as a term instead of “civil war” or “aggression.” I have chosen this terminology to remain neutral as possible as other researchers like Elissa Helms have done. Many Serbs use the phrase “civil war,” which implies that “all sides are equally guilty.” On the other hand, “most Bosniacs favor the term “aggression,” meaning the aggression against Bosnia as a state and idea” (Helms, 2003, p.18). Both stances have their logic and are partially correct and incorrect. Taking this into consideration and the need to stay neutral, I will use “the Bosnian war” throughout this piece.

Outline of Chapters

In the following chapter, I will reflect on some of the central political tensions after the Bosnian war that have influenced the work of women’s nongovernmental organizations in BiH. After this reflection, I will discuss how women’s nongovernmental organizations function and their feminist thinking in BiH. In the fourth chapter, I will explain theoretical gender justice framework that Marie O’Reilly uses to evaluate initiatives of women’s nongovernmental organizations. Also, I will look at three justice initiatives of Foundation CURE and United Women. In the following chapter, I will make a distinction between peacebuilding and reconciliation based on feminist scholarly literature that I have read. In addition to this, I will analyze the reconciliation initiatives of both organizations where I did my internship. In the last chapter, I will reflect on why justice and reconciliation initiatives usually do not go together for women’s NGOs.

Chapter 2: Memories and Ongoing Tensions in Postwar Bosnia and Herzegovina

Memories of the Bosnian War

A letter, a book, a dress stood in the middle of a room under a spotlight. They had a piece of paper next to them that explained the sentimental history of the objects with their owners. The most interesting to me was the figure of a little porcelain dog because I had a similar one as a child. I looked at it and read the story attached to this dog that had a completely different story than mine. It was the last gift a girl (nowadays a woman) received from her best childhood friend that was killed on the day of her birthday during the siege of Sarajevo⁷. This porcelain dog and other pieces represented the War Childhood Museum collection in Sarajevo that was established in 2015 by Jasminko Halilović. He gathered pieces, objects, and testimonies from people who were children or had children during the Bosnian war. These exhibition materials represent people's memories about their dreams of having a robot that would bring them food and water during the siege in Sarajevo or a dream of a successful ballet career. This initiative was a coping mechanism and a form of justice and reconciliation mechanism that should remind everyone about war atrocities people in BiH survived and why there should never be another war again.

“The war in Bosnia and Herzegovina raged between 1992 and 1995, leaving more than 100,000 Bosnians of all ethnic backgrounds dead in its wake” (Berry, 2019, p.178). “It was rooted in the fall of Communism and the ethno-nationalist break-up of the Socialist Federal Republic of Yugoslavia (SFRY) following a series of economic and political crises” (O’Reilly, 2016, p.424)⁸

⁷ The siege of Sarajevo lasted for four years, where on a daily level, civilians were killed or injured on their way to work, shops, schools. Around 14,000 people were killed during the siege (Berry, 2019).

⁸ For more on Yugoslavia wars, see Jasna Dragovic-Soso (2008)

“According to the Research and Documentation Center (*supra* n 11), of the 39,684 civilians killed and missing in the conflict, 33,070 (83.33%) were Bosniaks, 4,075 (10.27%) were Serbs, 2,163 (5.45%) were Croats and 376 (0.95%) belonged to other national groups” (Soso, 2016, p.306).

“The Bosnian war ended with the Dayton Peace Agreement (properly, the General Framework Agreement for Peace in Bosnia and Herzegovina), brokered by American diplomats and the nationalist leaders of the warring parties” (Helms, 2013, p.28). “Women and gender issues were largely excluded from peace negotiations” (Chinkin & Paradine, 2001, p. 150). That led to addressing gender justice issues inadequately. The Dayton Peace Agreement (DA) was a ‘gender-blind’ agreement that established the Bosnian state on “the primacy of ethnicity over other identities” (Helms, 2013; Cockburn, 2013; O’Reilly, 2016; Deiana, 2018). “It recognized Bosnia’s majority ethnic groups—Bosniaks, Croats, and Serbs—as ‘constituent peoples’ and established power-sharing mechanisms and veto powers in key decision-making bodies” (O’Reilly, 2016, p. 425). Bosnia and Herzegovina (BiH) was divided into Republika Srpska (RS) and the Federation of BiH plus the multiethnic Brčko District. However, the Federation of BiH was divided into even smaller units (cantons) managed by one ethnonational group (Helms, 2014). “The entities were granted their own political institutions, and were united by minimal common institutions” (Paris 2004, p.99) (O’Reilly, 2016, p.425).

“To oversee and ensure Dayton Peace Agreement (DPA) implementation, it established a quasi-protectorate role for the (Western-dominated) institutions led by the Office of the High Representative (OHR) and including a variety of private, governmental, intergovernmental, European Union (EU), and UN agencies as well as peacekeeping forces led by NATO and later by the EU” (Helms, 2013, p.28). “Office of the High Representative (OHR) was the institution that was established with the Dayton Peace Agreement” (O’Reilly, 2012, p.532) and represented the

most significant Western-dominated monitoring factor. “It had ‘the final authority regarding interpretation of the Agreement on the civilian implementation of the peace settlement’ (Annex 10, Article 5, Dayton Peace Agreement 1995)” (O’Reilly, 2012, p.533). “Overall, it has unlimited authority to impose laws, decisions when locals are unable/unwilling to reach an agreement, and to dismiss from public office any individuals who violated their legal commitments under Dayton or obstructed its implementation (Cox 2001: 13; Caplan 2004: 56–7; Zaum 2007)” (O’Reilly, 2012, p.533). This system based on ethnic division with ongoing Western interventionism left BiH with a weak central government, many unresolved issues, separatist agendas, and ongoing crises, such as the non-paper.

A Paper that Does not Exist

One of the latest crises was the Balkan “non-paper,” a document of unknown origin that was published by Bosnian web portal politicki.ba and Slovenian necenzuirarno.si in April 2021. The paper was attributed to Janez Jansa, Prime Minister of Slovenia, who denied any connections to it. Each politician in the region had similar feedback. Either they read it but did not know the source, or they said they did not see it. However, in June 2021, the EU Council confirmed that non-paper represents a report developed by Milan Kučan, Special Reporter for Bosnia and Herzegovina. It was stated that the status of the document was confidential, but somehow it leaked out. (Balkan Insight, 2021; EUobserver, 2021; European Western Balkans, 2021)

This mysterious document argues that borders in the Western Balkan region should be changed based on ethnically defined territorial lines. Parts of BiH, Montenegro, and North Macedonia should be annexed into Serbia and Croatia, according to this document. Also, Albania and Kosovo should be united. The Balkan non-paper indicates that peace in the region was still not accomplished. Such a new ethnicity-based division of territory in the region would lead to further

tensions and eventually conflict. In terms of BiH, based on this paper Serbia and Croatia would get a significant part of BiH that would probably lead to a new conflict. The key issue of this paper was that if the ethnic border concept was applied, it would lead to ongoing crises. Migration inside the Western Balkan region would be seen as a potential threat since borders can change based on the ethnic same population in a specific territory. In addition to this, any form of tension or possibility of conflict could be used as an excuse for foreign military interventionism in the region. In order for BiH to move from ongoing crises, structural changes were needed, not just in the region but also on the internal level. Revisiting the Dayton Agreement would just be one part of this process.

Restructuring Dayton Agreement

In 2020 a more vocal discussion⁹ about the restructuring of the Dayton Agreement emerged among the representatives from the European Union and the United States. The new framework's focus should be on domestically-driven reforms that will lead to creating a stable and functional state that is not divided by ethnicity. This narrative was not well received by politicians in Republika Srpska or Serbia. Milorad Dodik¹⁰ who spread nationalist narrative over the media. Entities integration in BiH was perceived among politicians in Republika Srpska as an oppressive project where Bosniaks (Bosnian Muslims) will have the leading role and Serbs survival would be put at stake. Serbia had the same stance. In August 2021, Aleksandar Vulin, Serbia's Minister of interior, and Dragan Lukač, Minister of the interior in Republika Srpska went to an official visit in Drvar¹¹.

⁹ There have been discussions on restructuring Dayton Agreement from the very beginning by governmental and nongovernmental representatives. DA was supposed to serve as a treaty to stop the war, but it stayed for more than 25 years as the leading tool for ethnic division in BiH.

¹⁰ Current Serb member of the Presidency of Bosnia and Herzegovina.

¹¹ Drvar is a town located in the Federation in BiH where Serb returnees live.

They discussed the position of Serbs in the 10th canton of the Federation of BiH¹². During the visit, both politicians gave public statements where they said, “If the Federation is not capable of providing decent living conditions for Serbs in Drvar and other municipalities of this canton, we will do it. Serbs take care of Serbs no matter where they live.” (RTS, 2021, p.2).

Serbia constantly interfered in the politics of BiH and reinforced ethnic tension and fear with such statements. One of the key reasons was that Serbia was still in denial regarding committed war atrocities (Gordy, 2013; Fridman, 2011). Eric Gordy argues that the democratic change in 2000 in Serbia did not mean a break with nationalism. It was visible that nationalism stayed through reelections of the Socialist Party (a party that ruled in Serbia during the war period) again in 2008. Also, for almost ten years, the president of Serbia is a man who was a minister in Milosevic's government¹³. If we consider this information, the possibility of having war again was real, and documents, such as the recent non-paper, revoke bad memories, pain, and trauma. However, one of the crucial ongoing crises for BiH was disagreement about the committed war atrocities in the Bosnian war – what happened and what did not occur even though International Criminal Tribunal for the Former Yugoslavia (ICTY) finished all the prosecutions.

¹² Federation of BiH is one of two entities of Bosnia and Herzegovina divided into ten autonomous cantons with their laws and governments.

¹³ During Slobodan Milosevic's leadership, a violent breakup of Yugoslavia happened. Also, governmental representatives at that time were implicated with war atrocities and spreading nationalism.

Unreachable Justice – Story of International Criminal Tribunal for the Former Yugoslavia

The prosecution of war atrocities committed in the Bosnian war was conducted at the International Criminal Tribunal for the former Yugoslavia and throughout BiH – “at the state level within the War Crimes Chamber of the State Court of BiH (WCC), and local courts across the Federation, RS, Brčko District” (O’Reilly, 2016, p.425). The most severe war atrocities were prosecuted at ICTY, and UN Security Council determined that because of multiple reasons, and I will reflect on some of those.

“A series of events where violations of international humanitarian law were ignored by formal authorities in former Yugoslavia triggered the establishment of ICTY and the secondary role of national courts” (Gordy, 2012, p.49). “Acting on evidence of both violations of international law and failure of legal bodies, the UN Security Council adopted a series of resolutions (721, 752, and 764) in 1991 and 1992, declaring the conduct of the wars to be a matter of international concern” (Gordy, 2012, p.49). However, these resolutions did not stop violations of international humanitarian laws. “War violations and crimes continued after two more Resolutions 771 and 780 that demanded on all sides to cease committing them” (Gordy, 2012, p.50). UN Security Council continued monitoring and reporting violations until 1993 when the International Criminal Tribunal for the former Yugoslavia (ICTY) was established by Security Council resolution 827 (Gordy, 2012). The main reason for the establishment of ICTY was the failure of courts in the former Yugoslavia to implement their laws. Out of 161 accused of crimes against humanity, 91 were sentenced, 18 were acquitted, two are on ongoing retrial before the mechanisms¹⁴, 13 were referred

¹⁴ “The International Residual Mechanism for Criminal Tribunals (Mechanism) was established by the United Nations Security Council on 22 December 2010 to carry out a number of essential functions of the International Criminal Tribunal for Rwanda (ICTR) and the International Criminal Tribunal for the former Yugoslavia (ICTY), after the completion of their respective mandates” (IRMCT website, 2021, p.3).

to national jurisdiction pursuant, and 37 accused had their indictments withdrawn, or they have died in the meantime (ICTY website, 2021).

Even though ICTY was established because it was supposed to have the capacity to implement international laws, it had many obstacles during the trials – replacement of personnel, reforms, challenging cooperation with domestic courts in former countries of Yugoslavia, inability to protect witnesses, frequent delays, etc. (Gordy, 2012; Mannergren Selimovic, 2010). These issues influenced the efficiency of the ICTY and, ultimately, the trust of the local communities in BiH that justice can be performed. Still, the procedural obstacles of ICTY are not the main focus of my thesis. I will add that there has been extensive criticism of ICTY throughout the years. It falls into three categories: “(1) uneasy relationships between the Tribunal and the public in the region, (2) difficulties to conduct trials and the treatment of evidence, and (3) political consequences of the Tribunal’s activity and the effects of ICTY-related conditionality in the region” (Gordy, 2012, p.61-62). For me, one of the key issues was that the former countries of Yugoslavia did not have to face the evil war past and committed atrocities directly. This has led to ongoing crises in the Western Balkan region and BiH that I will reflect on in the following section.

National courts and other judiciary bodies participated in gathering evidence but not in a very efficient manner. Lack of willingness to confront committed war crimes and fragile corrupted legal system obstructed prosecution of war criminals. It is important to emphasize that all of the former countries of Yugoslavia declared that they respect the laws and verdicts by ICTY. However, they usually had a word BUT explicitly or between the lines when talking about the final verdicts. This word BUT provided some form of integrity for leaders and autonomy for the country. It was a form of resistance towards being judged by "others" – the international community. ICTY verdicts were seen as judging the country, even though this was not the institution's main goal.

The main goal of ICTY was to dissolve notions of collective guilt and put it on individual perpetrators. ICTY central formula of transitional justice was “that singling out individual perpetrators puts an end to the demonizing of entire groups, deflates ideas of collective guilt, and paves the way for reconciliation in divided societies (e.g., Bass 2000; Biggar 2003; Bloomfield, Barnes, and Huyse 2003; Borer 2006; Borneman 2002; Gloppen 2006; Ignatieff 1996; Minow 1998; Rigby 2001; Teitel 2000)” (Mannergren Selimovic, 2010, p.51). However, the ICTY mission has entirely failed. Johanna Mannergren Selimovic's research on the Outreach Program of ICTY shows a complete collapse of this idea.

The outreach Program of ICTY was implemented with the primary goal to "remediate the lack of trust in the tribunal," and it was implemented in 2004 and 2005 (Mannergren Selimovic, 2010, p.51). These Outreach Programs did not bring back the trust, but they showed that ICTY's idea of deconstruction of the collective guilt was unrealistic. "A sole focus on individual justice strengthened discourses of collective innocence and relativized the suffering of the other" or in other words, these actions of deconstructing the collective guilt were seen as "an action directed against the entire group" (Mannergren Selimovic, 2010, p.58). This isolation of individuals as the guilty ones did not look at the broader social, political and cultural context (Mannergren Selimovic, 2010; O'Reilly 2016). For justice to happen, victims needed more than a formal verdict of individuals that were responsible and known to the world. People in BiH needed acknowledgment of the committed war atrocities by the ethnic other, recognition of the pain, living without fear from oppression or another war to rise again. However, the level of ICTY failure, we can especially see in the recent light of events in BiH. I will reflect only on several of them.

Convicted Enough

Ratko Mladic¹⁵ faced a final verdict on appeal against genocide convictions at the UN International Criminal Tribunal for the former Yugoslavia (ICTY) on 8th June in 2021. He was convicted for a life sentence, but somehow justice seemed unsettled for almost everyone. Serb politicians in Republika Srpska declared that the ICTY is an institution against Serbs and that Bosniaks created a myth out of Srebrenica (Danas, June 2021). On the other hand, politicians in Serbia had similar speeches. Aleksandar Vučić¹⁶ stated, "This is a hard decision for Serb people." (Slobodna Evropa, 2021, p1). Serb's populated news articles and social media with comments about how Ratko Mladic defended the country and acted on orders. Bosniaks who suffered numerous war atrocities by the Army of Republika Srpska that Ratko Mladic led said that the sentence was not enough for them. There were comments all over social media about how he is old and will not suffer long (Vintage Sarajevo Instagram); He has better living conditions in ICTY than most Bosniaks in BiH, what kind of sentence is that. (N1 portal); He is still a war hero for Serbs; what kind of justice is that if he is celebrated. (N1 portal). According to the international framework Ratko Mladic received the highest possible penalty anyone can get, however this conviction did not settle justice for Bosniaks.

The main reason for people's resentment was the lack of recognition from Serbs in BiH and Serbia. Silence about war atrocities. One institution sentenced him, but all governmental institutions in Republika Srpska and Serbia did not as ICTY did. President of Serbia, Aleksandar Vucic, said that he condemns a terrible crime in Srebrenica but did not acknowledge that genocide happened. Representatives of justice, human rights, gender, development, or any other governmental agency

¹⁵ Ratko Mladic, a Bosnian Serb leader of the Army of Republika Srpska during the Yugoslav War, organized multiple military interventions that led to war atrocities.

¹⁶ President of Serbia who was part of Milosevic's government during wars in Yugoslavia.

in Serbia and Republika Srpska did not declare that Ratko Mladic was guilty of genocide. The narrative was always that he did a crime or nothing at all, silence. This left survivors of genocide and other crimes against humanity feeling invisibly of their pain, suffer, and loss. Most of the survivors needed acknowledgment of the ethnic other, and these individual recognitions seemed more important than the formal ones.

During my fieldwork, ethnic others rarely talked about their experience during the war. When other ethnic women activists would talk about the war atrocities committed by Serbs, they would always need to look at me even though there would be more than ten people in the room. They needed to get my recognition or support through eyes, gestures, or words. Sometimes I felt highly awkward because their sharing experience was usually not short, and as the story would evolve, I expected only the worst possible scenario. The eye contact did not stop, and I was never sure what would be the appropriate way to recognize their stories. On one end, I wanted to show them that I care and that I am sorry for what happened to them, but I also wanted to break my ethnic label. I had a stance that I did not commit these war atrocities and that those who did this should be punished. I did not see anything in common with anyone (Serb or any ethnic background) who participated in war atrocities. The only link I had with them was their misuse of an ethnic category associated with me. Taking this into consideration, they did an injustice to me by committing war atrocities in the name of an ethnic category linked with me. Still, in these moments of experience sharing, it felt important that I am of Serb ethnic origin, and this individual approach to guilt did not seem appropriate. For a glimpse of a second, it felt that I was a form of recognition by Serbs that they needed so much.

Truth and Reconciliation

Even though for a few seconds, some people in postwar BiH would find a way on an individual level to get recognition of their pain publicly, it mostly seemed unbelievable. Between 1997 and 2006, there were several attempts to establish a National Truth and Reconciliation Commission (TRC) in BiH that would establish justice and truth on a national level (Soso, 2016). The main idea behind this Commission was that it should support ICTY activities and allow the community to get a broader understanding of the war events since justice was hard to reach through putting the guilt on only a few individuals (Soso, 2016). It was supposed to be a form of national institution that would lead to finding a unique truth about committed the war atrocities, but as well good/heroic acts people did. Overall, the main intention was to create a unifying truth that would be used as a public discourse (in schools, political decisions, etc.). However, this romanticized initiative of bringing truth and reconciliation did not work for three main reasons that Soso identifies. Firstly, TRC was imposed by external actors or, to be specific US Institute of Peace (USIP) and had poor support from the local community (Soso, 2016). Politicians on a national level were supposed to be a part of this initiative, but there was a significant fear that they would misuse the project. The resistance to this project was significantly strong by politicians in RS who thought that the project aimed to label the entity as a genocidal creation¹⁷ (Soso, 2016). The project did not have support from the victim associations, as well. They considered it more important to invest funds in improving their living conditions¹⁸. In addition to this, ICTY opposed this project,

¹⁷ “The prevailing perception of the conflict in the RS has consistently been that of a defensive war imposed on the Bosnian Serbs, in which all sides committed some war crimes and for which Serbs were disproportionately and unfairly blamed. See also, Diane Orentlicher, *That Someone Guilty Be Punished: The Impact of the ICTY in Bosnia* (New York: Open Society Justice Initiative and International Center for Transitional Justice, 2010)” (Soso, 2016, p.304)

¹⁸ “The outrage especially came when victims association found out the material compensation offered to the commissioners were likely to be equivalent to those of High Court judges” (Soso, 2016, p.306).

as well. The rationale behind it was that the ICTY was unsure how this project would impact the trials and its work, but the real reason was that ICTY feared that extensive funds would be invested in TRC instead of ICTY (Soso, 2016). Overall, “the national truth commissions are inherently political projects, related to both ideologically and practically to promoting the legitimacy of new political regimes and their wider state and nation building goals” (Soso, 2016, p.308). In divided states, such as BiH, this type of initiative can only happen if political leaders and the wider community want to start social, political, and cultural reconstruction. Imposing the truth and projects of establishing the truth can backfire and create additional tensions, such as the last one with amendments made to the Criminal Code of Bosnia and Herzegovina.

Mission Civilisatrice in Practice

In July 2021, OHR made amendments to the Criminal Code of Bosnia and Herzegovina that explicitly forbids creating hate speech, denying ICY final verdicts of ICTY, or giving recognition to people who have committed war atrocities in public or to be specific

“(3) Whoever publicly condones, denies, grossly trivializes or tries to justify a crime of genocide, crimes against humanity or a war crime established by a final adjudication pursuant to the Charter of the International Military Tribunal appended to the London Agreement of 8 August 1945 or by the International Criminal Tribunal for the former Yugoslavia or the International Criminal Court or a court in Bosnia and Herzegovina, directed against a group of persons or a member of such a group defined by reference to race, colour, religion, descent or national or ethnic origin, when the conduct is carried out in a manner likely to incite to violence or hatred against such a group or a member of such a group, shall be punished by imprisonment for a term between six months and five years.” (Criminal Code of Bosnia and Herzegovina (Official Gazette of BiH Nos. 3/03, 32/03,

37/03, 54/04, 61/04, 30/05, 53/06, 55/06, 32/07, 8/10, 47/14, 22/15, 40/15 and 35/18) in Article 145a, paragraph 3) and

“(6) Whoever gives a recognition, award, memorial, any kind of memento, or any privilege or similar to a person sentenced by a final judgement for genocide, crimes against humanity or a war crime, or names a public object such as a street, square, park, bridge, an institution, building, municipality or a city or similar, or registers a brand, after or under a name of a person sentenced by a final judgement for genocide, crimes against humanity or a war crime, or whoever glorifies a person sentenced by a final judgement for genocide, crimes against humanity or a war crime in any way, shall be punished by imprisonment for a term not less than three years.” (Criminal Code of Bosnia and Herzegovina (Official Gazette of BiH Nos. 3/03, 32/03, 37/03, 54/04, 61/04, 30/05, 53/06, 55/06, 32/07, 8/10, 47/14, 22/15, 40/15 and 35/18) in Article 145a, paragraph 6).

Amendments had additional paragraphs, but two previously cited are the most crucial ones that reinforced the ongoing crisis in BiH. OHR, as the institution that had supremacy over all legal bodies in BiH, can adopt laws or make amendments to laws that then have to be implemented on an entity level (Federation of BiH and Republika Srpska) according to the Dayton Agreement. However, OHR¹⁹ can, but it is not obliged to consult any institution in BiH before reinforcing any change if the main goal is to obtain peace among divided sides. Overall, restructuring and peacebuilding in BiH through OHR and other international actors was not an internal process where communities could discuss what changes they wanted, but changes were imposed on them. This form of colonial interventionism constantly brought troubles to already fragile peace in BiH. I do not argue that anyone should use war atrocities, names of the war criminals, or the pain of

¹⁹ Until 2021 Office of the High Representative in BiH had 29 representatives and deputies. All of them were men from Western developed countries.

victims in a disrespectful manner or that these amendments are harmful. However, I argue that this type of decision needs to be made by those who cannot agree on the past or, better said, that they need to find their solution if it is possible at all. Additionally, this law showed how unsuccessfully ICTY has been in achieving its mission since formal regulations of acceptance of its verdicts were needed.

Amendments to the Criminal Code produced a counter-response from the government of Republika Srpska. Seven days after adopting Amendments of the Criminal Code, the discussion that the parliament in Republika Srpska will make its amendments to the Criminal Code of Republika Srpska started²⁰ (DW news, 2021). The new article in RS Criminal Code would say that anyone who exposes the symbols of the Republika Srpska and their citizens to contempt or gross disparagement by marking them as genocidal or aggressor will be punished with a prison penalty (DW news, 2021, Slobodna Evropa news, 2021). Interpersonal political tensions have started due to this. A Serb journalist who denied genocide in public was reported to authorities by the president of municipality Srebrenica²¹, a Bosniak man (DW news 2021, Slobodna Evropa news, 2021). A few days later, Milorad Dodik said that the president of the municipality would be prosecuted and removed from his position (DW news 2021). After just a few days since the establishment of the law amendments, discussion on its practically started. “We will end up with at least half of the citizens in prison if these laws are going to be implemented for real. This country is ridiculous. Everyone does what they want to.” said Dženan, a Bosniak youth activist for reconciliation. Dženan was not alone in this opinion, even though most of the Bosniak people I interacted with

²⁰ Each entity in BiH has its Criminal Code and other laws, but they have to comply with the country level Criminal Code.

²¹ A town in Republika Srpska where the worst war atrocities were committed against Bosniaks by the Army of Republika Srpska.

these days considered the amendments of the Criminal Code by OHR as a rightful act. However, most of them feared the next step or if this would lead to some new brutality and conflict.

Roland Paris sees peacebuilding interventions as a new form of colonialism or, as the author calls them, mission civilisatrice where Western countries impose not just “liberal values and institutions, but the notion of the state itself” (Paris, 2002, p.656). In other words, the Western states know what the best is, and they tend to incorporate their system to the countries in need of peacebuilding, such as BiH. Democracy and liberal economy are “seen as the highest form of political organization in the international system” (Paris, 2002, p.654) and imposed on developing countries. This does not mean that democracy or liberal values are not good per se, but that countries or their citizens need to find their ways of organizing and dealing with justice. Judiciary justice represents only one aspect, and it is often blind to social, economic, and cultural aspects of this process. Even though it may seem that justice and reconciliation were unreachable since unforgivable atrocities were committed in the Bosnian war. However, the people of BiH managed to unite under the same causes lately – justice, truth, and the need for an uncorrupted judiciary system.

Pravda za Davida i Dženana – Justice for David and Dženan

David Dragičević, a 21-year-old man from Banja Luka, went missing on 18th January 2018. People were searching for him for several days until his body was found in the river a few days later. Governmental representatives of Republika Srpska gave statements just a few days later about his death. Ministry of the interior Dragan Lukač said that LSD was found in David's blood. According to the police, David robbed one house and then drowned in the river under the influence of drugs. The family of David asked for additional body expertise that was done in Austria and did

not find any drugs in the body, but that he died from severe injuries and torture. In addition to this, some evidence went missing, such as the parts of David's wardrobe. (Sources: DW News – 17.04.2021; Slobodna Evropa 26.04.2018.; BBC 28.03.2019)

This distortion of facts and unresponsive prosecution led to one of the most massive social movements for justice in Banja Luka, a city in Republika Srpska. For almost 300 days, citizens of Banja Luka gathered in Trg Krajine (public square) to ask for the truth and justice. They wanted to know who killed David. In memoriam to David, protestors left pictures, flowers, candles, and even made a form of the monument in the shape of the fist. However, these protests were not just fighting for David, but coming to terms with oppression that citizens of Banja Luka, Republika Srpska felt for decades from nationalist governmental representatives. “These protests are something new - a message that citizens are not afraid.” stated one of the protestors (BBC News, March 2021, p.6). For almost 300 days, tens of thousands of people gathered and shouted “Justice and truth.” Other topics became more visible because of this protest, such as corruption, inadequate living conditions, slow judiciary, difunctional system. People started to speak more freely about the issues in the country. The Facebook community had more than 47,000 followers, and protests became massive with more than 10,000 supporters in the public space; the international community started to look and wonder. Once the number of supporters seemed dangerous to the government, violent oppression started. Protestors that wanted justice had to be silenced.

Milorad Dodik, during one of his public speeches, said that “Trg Krajina needs to be cleaned (Treba počistiti Trg Krajina)” (Vreme, 2019, p.3), which implied that the protest has to come to an end. Employees in public institutions who supported the protest received relocation solutions or needed to move to other cities to work. Besides this form of oppression, policy brutality was the most visible. The police started to protest and arrest people under various accusations, such as

violation of the public order even though all protests were organized calmly and did not break the law. These police actions mobilized citizens even more to gather, which led to a violent “clean up.”

Davor Dragicevic, Suzana Radanovic (parents of David), and other protestors were violently arrested in public in December 2018 under the accusation that they compromised security. They were soon released, but just a few days after, the house of David’s parents was searched. When the police could not find anything, the government decided to go to the next step and show the citizens who rules. Special unite of the police that should fight against the highest level of crime, such as terrorism, came to Trg Krajina on 25th December 2018 and started to literally clean up. Special unite police fully armed surrounded the exhibition that was set in memory of David in Trg Krajina. The communal police took everything from the square. Protestors tried to stop this “clean up” that led to violence against civilians. However, the police were ruthless. They used force, arrested people until the movement started to back off. Even though these violent actions were performed, the movement stayed alive up until now (September 2021). People still gathered, but in small numbers in Trg Krajine that was still monitored by the police. Pravda za Davida lived in social media, as well. It continued demanding justice and truth. Even though the truth was not found, some changes happened on a micro-level. Milorad Dodik’s party, SNSD, lost the elections in 2020 in Banja Luka that showed that the irreplaceable could maybe be replaced. This political change did not mean that the problems were fixed, but that Milorad Dodik’s era was perhaps coming to an end. Nevertheless, in September 2021, circumstances around Davida’s death were still unknown, and the prosecution process was on the dead spot. Pravda za David was not an isolated social movement in BiH that asked for justice.

On 8th February 2016, Dženan Memić, a young Bosniak man from Sarajevo, went to take a walk with his partner in Ilidža. That same day they were attacked under suspicious conditions and got severe injuries. Dženan did not survive these obtained wounds, and he died seven days later in the hospital. More than five years have passed since his death, and it was still not clear by who was Dženan attacked and what happened. His partner stated in court that she has amnesia and that she cannot remember what happened. Even though Dženan noted that he was attacked before he died, the prosecution led this case as a death caused by a car accident. The culprits for the alleged car accident were found. They were prosecuted and released from the guilt two times because the lie could not hold. Dženan was killed, and his family, friends, citizens of Sarajevo, and BiH wanted to know by whom. Media articles implied multiple versions about the death of Dženan. One thing was clear that the person or persons who were involved in his death were above justice. That very fact that someone was above justice in both entities generated a new social movement in BiH – Pravda za Davida and Pravda za Dženana. Citizens of BiH wanted truth and justice, but most of everything they wanted change. Protests in Sarajevo did not have the level of oppression like in Republika Srpska. They faced political pressures, but the government in the Federation of BiH did not try to stop them. However, the same problems gathered Bosnians. They had a joint campaign in social media and in Sarajevo protests that called for justice and truth for both David and Dženan. Mutual injustice, corrupted judiciary system gathered Bosnians with one goal to search for the truth. Joint protests did not stop in Sarajevo even though OHR and the government in Republika Srpska made law changes that led to tensions on a political level between the two entities. (Radio Slobodna Evropa, 2.2.2021., N1, 18.10.2019)

However, the role of the state became more questionable with these protests. Judiciary institutions in both entities and OHR did not bring justice to people or conditions for reconciliation. So, what

was the role of the state Bosnians lived in? Activists in Croatia that Maple calls "bastards of utopia" say that "Freedom begins with the death of the state" (Maple, 2015, p.45) because the current models of states are everything but not freedom. According to these activists, the state authorities force people to think like them and have an identity, belonging which is not questionable. These "bastards of utopia" (Maple, 2015) question the system and call it unreal since it does not accomplish anyone's needs. They argue that the world needs a new system, a real one that can give more freedom. A system that would be based on "natural feelings like – love, solidarity, respect, equality" (Maple, 2015, p. 48) and not on the nationalism notions which justify violence. The system imposed on people in BiH created ongoing ethnic hatred that suffocated other feelings people had, such as solidarity for the ethnic other. Even though Western countries consider democracy and the liberal economy as the highest level of political organization (Paris, 2002), it is questionable how this system works for individuals, especially for people who survived the war. Questioning of citizenship rights, political organization were essential in BiH, and for that very reason, alternative approaches to justice emerged in various forms.

Alternative Ways to Reach Justice

Women's Court for the Former Yugoslavia – Ženski Sud

In a hostile political environment with ongoing ethnic tensions, such as BiH, women's nongovernmental initiatives have been one of the most important ways to achieve justice on an individual level. They have represented an alternative for citizens who disagree with state politics and provided space for them to condemn war atrocities or any wrongdoing committed in their name. Ženski sud was founded in 2013 by Žene u Crnom (Women in Black)²² with seven other organizations from the former countries of Yugoslavia as a response to the ICTY decision to release officials (Momčilo Perišić, Jovica Stanišić, and Franko Simatović) who were responsible for a large number of war crimes in Croatia and Bosnia and Herzegovina (Ženski sud website, 2021). It represents a non-judicial court that can be “understood as a form of ‘popular justice’ in which individuals and groups exercise justice from civil society, in a region characterized by functioning domestic law (Merry and Milner, 1995, p.3)” (O'Reilly, 2016, p.428). This form of initiative does not entail formal judiciary decisions but confessions, artistic performances, panel discussions where war atrocities were condemned and gender perspective put at the core.

“It is argued that this ‘grass-roots initiative has contributed to the recognition and representation of BiH women as victims/survivors of gendered violence and discrimination, and also added weight to demands for redistributive justice” (O'Reilly, 2016, p.421). Marie O'Reilly uses Nancy Fraser's tripartite model of justice to evaluate the impact Ženski sud has had (O'Reilly, 2016). She specifically looks at three injustices cultural/symbolic, socio-economic, and participatory or

²² Women in Black are part of the anti-war movement that started in Israel in 1988 because of the First Intifada outbreak (Athanasίου, 2017). They began with just holding a vigil dressed in black every Friday in Jerusalem as a mourning act for every victim of the conflict (Athanasίου, 2017). This practice started happening in other countries in solidarity with the Israeli women. One of these countries is Serbia. “The core of this movement is to create a network against all patriarchic political control over women, all kinds of ethnic homogenization, independent of all state and ethnic border and divisions “(Zajović, 2007, p.37). For more see Staša Zajović (2007).

representational, and three main remedies for it - representation, redistribution, and recognition that can be implemented in an affirmative and transformative way (O'Reilly, 2016)²³. In this assessment, the author finds that Ženski sud has managed to produce important gender justice changes on a grass root level, such as putting at “the spotlight women’s voices and experiences in conflict and post(conflict) context,” but that it had significant limitations, as well (O'Reilly, 2016, p.429). I will reflect on some of identified valuable aspects and issues.

In terms of justice as recognition, Ženski sud has managed to focus on individual experiences of women since truth recovery processes often look at the war experiences women had as mothers, sisters, or wives (O'Reilly 2016; Ross, 2003). In addition, this initiative has promoted the discourse of survivors as key leaders of social change and “challenged ‘institutionalized patterns of cultural value’ that constitute women in general, and SGBV survivors in particular, ‘as inferior, excluded, wholly other, or simply invisible’ (Fraser 2007, 31)” (O'Reilly, 2016, p. 430). It also addressed ‘continuum of violence’ (Valji, 2007, p.12) or the fact that women suffered from socio-economic violence even after the war due to “post-war privatization and liberalization processes” (O'Reilly, 2016, p.430). However, Ženski sud ability to implement remedies of redistribution was severely limited because that would entail country-level measures and implementation by state actors. In 2015, they argued for the adoption of the governmental Program for Victims of Wartime Rape, Sexual Abuse and Torture and their Families in Bosnia and Herzegovina that was drafted in 2012 (O'Reilly, 2016). Six years have passed, and until September 2021, this program has not been adopted. One of the main reasons was that Republika Srpska did not approve the document (Amnesty International, 2017). Regarding the implementation of redistribution remedy, Ženski sud had severe obstacles because only a few women wanted to testify about survived war atrocities

²³ For more on the theoretical framework, see Marie O'Reilly (2016).

(O'Reilly, 2016). Some of the identified reasons were that the preparation work with survivors was short and without proper structure, fear among sexual violence survivors that their statements would be misused, and the implication that the initiative was not that neutral because mostly survivors of violence by Serbs forces shared their wartime experiences (O'Reilly, 2016). Also, *Ženski sud* did not address some crucial aspects, such as “women’s active participation in the war effort,” experiences of women from all areas of BiH²⁴, gender inequalities pre-war and post-war, and it did not “fully challenge ethno-nationalist narratives and related hierarchies of victimhood that dominate discussions of wartime rape within BiH (see Helms, 2013)” (O'Reilly, 2016, p.431). Unfortunately, this initiative had limited effect not just in terms of raised issues but also in terms of outreach. In BiH, only three organizations were members in 2020 and 2021 – *Žene Ženama* (Women to Women) and Foundation CURE, both founded by Jadranka Milicevic and Pokret Majke enklave Srebrenica i Žepa (Movement of Mothers of Srebrenica and Žepa Enclaves). A significant number of women survivors and women’s NGOs did not participate because of disagreement with *Žene u Crnom*. Even in September 2021, some of women NGO’s representatives remember the initiative with a bitter taste.

"I was, and I am the first one who to say what we (referring to Serbs) did, but this approach of Women's Court felt bad. It was mostly about Serb's war atrocities but rarely about Serb's suffering. Sometimes people tend to forget that we have suffered, as well. Many Serb women were raped and killed by the Army of Republika Srpska and other actors in the war, but no one cares about these victims. It is a classic story." said Mila, representative of women's NGO in Republika Srpska.

²⁴ Most survivors who testified were from Pordinje Valley (eastern BiH), and experiences of women from urban areas, such as Sarajevo, Mostar, Tuzla, or Bosanska Krajina region, were not presented (O'Reilly, 2016).

Even though this initiative left a bitter taste for some of the women activists in BiH, it has made some crucial gender justice aspects visible to the public, as we have seen. However, to reach its goal of a just peace with the feminist concept of responsibility and care, it must include topics beyond collective identities.

Chapter 3: Women's Nongovernmental Organizations in Postwar Bosnia and Herzegovina

Municipality Clerk

“We are drowning in papers.” (Ugušit ćemo se od papira.) said Alma to one of her colleagues on our way back to Sarajevo from Zenica. Throughout our drive, they kept complaining about new procedures donors²⁵ have put on them. As someone who spent almost ten years volunteering and working in NGOs²⁶ in the region, I was well aware of what they were talking about. To prevent misuse of funds, donors of each agency had their own financial and program implementation monitoring procedures. Some of them had complex procedures that for one payment, such as consultancy fee, an NGO would have to provide extensive papers²⁷. As administrative procedures became more complex, there was less space for actual work to be done or to focus on implementing some genuinely solid ideas for the community. In addition to this, NGOs feared that they would not have money to perform their ideas²⁸. This sometimes led to writing more project applications and receiving more grants than they had the capacity to handle. NGO women activists, such as myself, would often write and administer extensive amounts of paperwork instead of actually doing something that had sense. I often felt like a clerk in a municipality that puts stamps on papers than as an activist. However, it was essential that every person in the NGO says that they are women rights activists and human rights defenders even though most of us actually just ended up doing administration work.

²⁵ Under the term, donors meant UN agencies and Western international foundations, such as Kvinna till Kvinna Foundation, OAK Foundation, etc.

²⁶ Some of these organizations were feminist, women's, and some with a humanitarian focus.

²⁷ This paperwork would often imply pdf printed files such as – add for the vacancy, recruitment strategy, all applications, assessment of applications, signed decision of the hiring board, email correspondence about the assessment results, Terms of Reference, contract, personal files of the consultant (ID, Bank account), reports of the consultant, email correspondence that the reports were accepted, Timesheet, proof of tax payment, and etc.

²⁸ Elissa Helms writes about NGO Boom in BiH that led to huge competition among NGOs for fund.

One of the reasons for claiming this activist identity was that the BiH, like other countries in the region, was part of the global neoliberal trend of promoting NGO development as a democratization process (Paris, 2002; Helms 2014). Activism is broadly understood as actions towards social and political change. In BiH, social and political changes that international foreign agencies promoted were democracy, liberal economy, and reconciliation between ethnic others (Paris, 2002; Helms 2014). “This so-called third sector (meaning women NGOs) served as the great hope for the future of a peaceful, democratic BiH” (Helms, 2014, p.25). Women’s NGOs were seen as the link between the government and local community by foreign intervention agencies – actors that could support the democratization process and reconciliation through policy advocacy. Women’s NGOs went along with the logic and expectations imposed on them. “Bosnian feminists were following precisely the neoliberal script that pushes NGOs toward professionalization and institutional approaches, creating dependence on the state and donors and stifling mass mobilization on issues of social justice (Alvarez 1999; Hrycak 2006; Lang 1997; Silliman 1999)” (Helms, 2014, p.37). NGO professionalization has led to several serious implications that I felt on my skin, as well.

Some of these issues were that they have become apolitical, rarely discussed the concepts, ideas they were implementing, and looked more for professionals²⁹ to engage in their work instead of people who believed in social and political change. In the following section, I will reflect on these issues.

²⁹ A significant number of women’s NGOs had to hire therapists, social workers, and professionals from various formal educational backgrounds. Since some of them provided particular services, such as trauma recovery for survivors of war, and this demanded expertise and full-time engagement, they were forced to hire professionals because of the nature of their work (Helms, 2013, 2014).

Feminism in the Gut

My first engagement with an NGO was in 2011 and with a women's NGO in 2014 in Belgrade. I often felt trapped in NGO project logic. I was not sure why I was doing something – whether it was the interest of the beneficiary³⁰, organization, donor, society, or if I believed the things I said or did. One day the founders of the organization³¹ would claim that prostitution is gender-based violence that needs to be eradicated, but tomorrow they would say that prostitution should be legalized. It all depended on who was the donor with whom they talked. However, discussions on what is prostitution, gender-based violence, or gender almost never happened. As someone who did not have formal education in this field, I struggled a lot to understand the meaning of these concepts. I would often get frustrated because I read something from authors like Judith Butler and did not understand almost anything. In these cases, Wikipedia would help me more than my colleagues who worked for more than 20 years in women's and feminist NGOs.

“I do not understand what the fuck gender is. Everyone says differently, but I think that for our work³², we do not need to know this. We have this feeling in the gut of what is good and what is wrong. That is what counts and what feminism should be.” said the manager of the women's organization in Belgrade I worked for five years. However, I was not sure if I knew what was good or bad. I did not have this feeling in the gut always. At some moments, my direct work with people who survived GBV felt so tiresome that I could not relate to them anymore. I remember myself listening about the rape they survived, and all I could think of was that I did not finish the project-related paperwork or what will I do when I get home. I thought that maybe I am an evil person

³⁰ I am referring to victims and survivors of gender-based violence and human trafficking. I worked for more than three years as a case manager of SGBV and HT victims and survivors in this women's NGO.

³¹ I refer to the women's NGO in Belgrade that was very respectable in the public and feminist circles.

³² Under work, she implied case management for victims and survivors of GBV and HT who had different sexual orientations and gender identities.

because I do not have this feeling in the gut or empathy always, and just at some moments, I would think that I am burned out. This concept about feminism in the gut was constantly repeated to me until I went to CEU on gender studies. However, it reappeared during my fieldwork in BiH.

“I really do not care what gender is. Should I read Judith Butler to know right from wrong? Or Foucault? If my work ends up with the fact that I cannot help those women beaten by their partners, or that gay guy struggling with public institutions, or if a transgender person faces discrimination, what’s the point? What use is all my knowledge if it has no final purpose? I am fine with everything – radical, liberal feminists, queers. Everyone and everything. I will defend the right thing. I feel it in my gut, not in books, my dear Marija!” said Alma after I told her why I decided to go to Gender Studies.

She did not see the point in making a big deal out of basic things, as she would call them. Feminism in Bosnia and Herzegovina was often connected to the feeling of right and wrong - the gut. Elissa Helms (2013) writes about Nataša from Medica³³, who argued that she is not a feminist and environmentalist because it is sexy, but because she feels right and wrong in her gut. Even though the gut was so frequently mentioned, I do not read these statements as engagement with new materialism since each of the feminists I met perceived every engagement with biology destructive for their cause. "Natural sciences are sexist, and they tell us what is appropriate and what not. Women were hysterical for centuries because of these natural sciences ideas," said Alma, who at the same time argued that her feminism comes from the gut.

I read this gut feeling of Alma and other women activists as gender affirmative essentialism that Elissa Helms uses in her work and that I explained in the first chapter. After the Yugoslav wars or the Bosnian war, women were perceived as crucial agents of peacebuilding and reconciliation.

³³ Medica is an women’s NGO that provides services to victims of rape from war and gender-based violence in BiH.

"Women were believed (or at least said) to be pragmatic and forgiving peacemakers, more willing to bridge (ethnic) differences than men, especially those in power (Helms, 2003, 2013)" (Helms, 2014 p.28). International and local actors repeated this discourse of women of loving and forgiving characters on an ongoing basis and on a daily level. During one month of my stay in Sarajevo, I heard the sentence "Women did not start the war" more than 70 times in public and private conversations by various actors³⁴. This narrative was repeated so many times that it became part of women's activist identity. Winter (2010) argues that people in their interaction construct narratives about the past and identity, and if these narratives are repeated enough, they eventually become the truth. The identity of these women became peacebuilders and forgiving actors even though it was not part of them always.

Alma in my MA thesis is Alma in Elissa Helms's book *Innocence and Victimhood*. She is presented as one of the most critical feminists Elissa Helms has met in BiH. Alma "was acutely aware not only of sexism and nationalism but also of racism, social injustice, heterosexism, classism, and was critical of state and corporate power on a global level" (Helms, 2013, p. 153). She also enlisted herself in the Bosnian Army during the Bosnian war. However, Alma I met during my fieldwork was one of the most peaceloving people I have met. She constantly talked about love and solidarity. "Peace and love. Nothing else." was the main discourse that Alma would use when I would speak to her. In addition to this, she would often write on Facebook how she did something moral, such as supporting a woman in a difficult position. Also, she discussed the immorality of others compared to her point of view that was more liberal and critical. I do not say that my Alma was pretending to be a peace-loving person. She would spend her free time on weekends to help people who were in need. Alma would also find alternative ways to support marginalized groups and give

³⁴ I started counting after a week because these words kept buzzing in my head.

her own money for those causes. However, I see this change in her as an adaptation of social expectations imposed on her – to be a peace-loving character. "Oh, you know. When they hear that you are Bosniak, foreigners immediately think poor her; she survived the war. I let them think that. It always turns out well," ³⁵said Alma and winked. Women activists, such as Alma, seemed to follow the discourse imposed on them. They were all peace-loving characters who felt this in the gut. It was their nature, and they did not question it. This lack of discussion on what they were doing and the implications of their work led to apolitical framing of almost every topic and gender affirmative essentialism.

Acting, but not Reacting

In the previous chapter, we have seen that BiH had ongoing crises and discussions – non-paper, ICTY final verdicts, new Amendments on the Criminal Code, *Pravda za Davida i Pravda za Dženana*. However, women's nongovernmental organizations had nothing to say publicly. In August 2021, a protest was organized for *Pravda za Davida i Pravda za Dženana* in Sarajevo. I asked Benjamina, a women activist who volunteered and worked for multiple organizations, if she wanted to go. The answer was really simple "No, we do not know what is going to come out of it. It is better to be on a safe side."

I understand this safe side and silence of NGOs to nationalist governmental statements, protests for social justice with multiple layers - as a strategic tool that was developed with their professionalization; response to the fear of oppression by the government; also most of the women and feminist activists considered this type of activism useless; and at the same time a way to keep their 'respectable image' (Helms, 2013, p.166) in the society that was nurtured throughout the

³⁵ Meaning that would usually get the funding for their work.

years. They did not react directly to Milorad Dodik's statement or any other nationalist statement or act by the government that damages the justice and reconciliation process because their strategic focus was on bottom-up change or micro-level individual survivors. When they did focus on top-level governmental change, they would always be policy-oriented and very pragmatic, focusing on areas such as gender-sensitive budgeting in municipalities or the creation of alimony funds at the national level.³⁶ One of the reasons for this approach was that much of their work became professionalized and technocratic through the years. "Bosnian feminists were in some ways following the neoliberal script that pushes NGOs toward professionalization and institutional approaches, creating dependence on the state and donors and stifling mass mobilization on issues of social justice (Alvarez 1999; Hrycak 2006; Lang 1997; Silliman 1999)" (Helms, 2013, p.114). To get to structural change, they felt they had to find their way of doing it: "A subtle approach." as Dana from Foundation Cure would call it. So, this silence can be a strategic tool where they do not act directly on the main political questions, such as restructuring the DA, but they support restructuring from another angle. They performed actions behind the scenes rather than on visible questions that could lead to structural change on a long-term level.

On the other hand, open responses to nationalist governmental discourse could lead to oppression, such as preventing them from doing their regular program activities. "I stay silent now out of fear that we will not be able to provide Shelter and other services to women survivors. The words I will say are useless because the government does not listen to us. They will go into the wind. We are alive here, but we do not live." says Mila, Serb activist from women's NGO Lara in Bijeljina.

³⁶ Throughout my fieldwork, the question of alimony payment for single parents who have partners in another canton or entity was a significant issue.

Their fear was legitimate because various women's nongovernmental organizations in the countries of the region have experienced faced severe if subtle oppression.³⁷ Also, there was a need to keep a 'respectable image' (Helms, 2013;) in society. Politics was usually constructed "as a corrupt male arena that produced nationalist exclusions, war violence, corruption, and theft, and variety of other injustices that lead to poor quality of life for most of the population" (Helms, 2013, p.160). Interfering in questions related to nationalism, such as a response from Republika Srpska about restructuring DA, could label them as nationalist. The only way to avoid this label would be to act towards politics in the entity they reside towards the nationalist statement of politicians of their ethnic background or jointly on a state-wide level as citizens of Bosnia and Herzegovina. Serb women activists would then need to react to nationalism from Serb politicians. The same logic would imply for Croats and Bosniaks if they wanted to escape potential labels as nationalists. Common sense says that to reach some form of justice, joint resistance to any form of top-level nationalism should be employed, regardless of where it comes from. During my field research, I did not see any collective or individual actions towards top-level nationalism. When women activists would engage in politics, it would be on a policy level and with gender essentialist representation, such as in the campaign "I vote for a woman".³⁸ In October 2020, this campaign was launched to motivate citizens of BiH to vote for more women in legislative bodies. Women activists were sharing stories about other successful women from BiH that brought a social change in their community. The social change was mainly connected to service provision, actions against

³⁷ Helplines for victims of gender-based violence in Serbia were until 2018 only provided by feminist and women NGOs and funded by foreign donors. Since 2018, the government in Serbia has established a funding scheme for this service, but governmental grants were only given to institutions that were not specialized in GBV. This left feminist and women NGOs without funding that provided services for more than three decades.

³⁸ The campaign was supported by The Government of the United Kingdom, the Government of Switzerland, and the Government of the Kingdom of Netherlands and was implemented by the Westminster Foundation for democracy in partnership with CEI Nahla. The activist from women NGOs participated in this campaign, such as Nada Golubovic, founder of United Women.

gender-based violence, and the children they raised. Their role was presented as caretakers of the community even though many of them had other more important roles. This affirmative essentialized approach was implemented in women's justice and reconciliation initiatives that I will reflect on in the following chapters.

Chapter 4: Justice Troubles in Women's Nongovernmental Initiatives in Postwar Bosnia and Herzegovina

Approaches to Transitional Justice

Transitional justice is aimed at a) “moral, political, and legal distancing from crimes of the previous regime,” b) “establishing and stabilizing new democratic legacy,” and c) “establishing a new basis for civil normality and just society after the period of brutality” (Ilic, 2010, p.12). In order to reach transitional justice, structural changes in a comprehensive manner on the bottom-up and top-down levels are needed in BiH. Revisiting history and discussing the war atrocities in formal and informal education, judiciary procedures, territorial integration of entities in Bosnia and Herzegovina would be a small part of the justice process. In some sense, justice should be “coming to terms with the evil past” (Ilic, 2010, p.9). It ought to create the grounds for building a society that can disallow the previous system of values where war atrocities were justified in the name of ethnonational identity.

Since ethnonational identity was used as one of the reasons for committing war atrocities, it has to be a part of the justice process. It cannot be avoided, but how to discuss this important aspect and not reinforce pre-existing ethnonationalist discourse. As we have seen in the previous chapter, ICTY was established with the primary goal to deconstruct collective guilt or pre-existing ethnonationalist discourses. Its logic was that victims and perpetrators of war atrocities were citizens of BiH and not collective ethnic groups of Serbs, Bosniaks, or Croats. This citizenship justice logic was meant to create the grounds for reconciliation among ethnically divided sides in BiH. As explained in the previous chapter ICTY has failed in establishing such an approach to transitional justice because it created a feeling of “an action that was directed against the entire group” (Mannergren Selimovic, 2010, p.58). This citizenship rights logic was mostly used for

reconciliation initiatives by women's NGOs in BiH, but in terms of justice, it was poorly implemented. Justice and reconciliation should go together as initiatives since these two concepts are inseparable. In order for them to go together, they should have the same logic, but before exploring what happens when justice and reconciliation merge, we will look at justice initiatives that rarely used citizenship rights logic or specific reconciliation initiatives logic that they used.

One of the reasons for this poor implementation of citizenship rights was the fact that both entities had different laws and systems. However, they had the same rights that were just accomplished differently and ratified an international legal framework that could serve as a solid basis. Still, even this could not help women activists. The key reason for the poor implementation of citizenship rights logic was that justice was heavily politicized in BiH. We have seen in previous chapters how Criminal Code amendments on a country level and in Republika Srpska were adopted. These amendments were not made to reach justice but to put adequate justice discourse on citizens of BiH regardless of their opinion. Also, *Pravda za Davida* shows that justice can be violently silenced if it does not fit the needs of the highest level of governmental representatives. Additionally, poor citizenship rights logic was implemented in justice initiatives because that would often entail advocacy of country-based laws or programs. To have any legal country-level change, mutual agreement of all constituent people was needed, which was extremely hard to reach³⁹. Until September 2021, country-level laws, policies, and programs for some of the basic rights of

³⁹ In order for any law, strategy, or program to be adopted on a country level, it has to pass the House of Peoples of the Parliamentary Assembly of BiH. "The House of Peoples of the Parliamentary Assembly of BiH has 15 delegates, two-thirds of whom are from the Federation of Bosnia and Herzegovina (five Bosniak and five Croat delegates), and one third comes from Republic of Srpska (five Serb delegates)" (Parliament of BiH website, 2021). "Decisions in the House of Peoples are made with the majority vote that must include at least one-third of votes from the territory of each entity" (Parliament of BiH website, 2021). This has led to the ongoing politicization of citizenship rights and justice initiatives.

survivors of wartime atrocities were not established, such as state-wide law right for victims of torture during the Bosnian war⁴⁰.

However, citizenship nowadays “expands beyond issues of rights and obligations (Lister 2003, 199)” (Deiana, 2018, p.137). Feminist reformulation of citizenship goes further than the legal system. Citizenship should represent the creation of unions that go across multiple identity borders and that are focused on solidarity, empathy, and sharing the same interests (Deiana, 2018). Women activists tried to dismantle this imposed citizenship, ethnonational logic in their justice initiatives but often ended up trapped. They stayed in this discourse of collective identity that came from the DA and nationalist government. However, they still managed to implement various justice initiatives that have raised many important questions. In the following section, I will explain the analytical tool that I will use to assess the impact of three justice-related initiatives during my fieldwork.

Gender Justice

The concept of gender justice is not sufficiently theorized, but according to Marie O'Reilly, it mostly "describes a wide array of practices ranging from the equal participation of women in justice institutions through to targeted remedies for gender-based harms" (O'Reilly, 2016, p. 422).⁴¹ The author sees the gender justice concept as an opportunity for social change and disavows previously established gender hierarchies and norms that allowed gendered war atrocities to happen in the first place. She uses Nancy Fraser's trivalent model of justice to expand gender

⁴⁰ Republika Srpska has adopted the law on the rights of victims of war torture. However, the Federation in BiH does not have this law (Website of Alliance of Detainees in BiH, 2021).

⁴¹ The author refers to McKay and Spees's conceptualization of gender justice. "McKay (2000, 561) regards gender justice as ensuring that post-war peacebuilding and TJ processes 'are equitable, not privileged by and for men, and ... acknowledge the ways in which women uniquely experience harm'. Spees (2004, 9) defines it as 'the protection and promotion of civil, political, economic and social rights on the basis of gender equality'." (O'Reilly, 2016, p. 437)

justice scholarship. In other words, she uses it to evaluate the gender justice initiative of women's nongovernmental organizations – Ženski sud⁴².

For Fraser (2008, 16) justice should be understood as “parity of participation, which entails the construction of ‘social arrangements that permit all to participate as peers in social life’” (O’Reilly, 2016, p.422). Fraser identifies three main pillars of injustice – “cultural/symbolic injustice which springs from negative forms of social representation, non-recognition, and disrespect of particular individuals and groups (Fraser 1997); socio-economic injustice resulting from the maldistribution of material resources due to the ‘political-economic structure of society’ and includes forms of exploitation, economic marginalization and deprivation (Fraser 1997); and participatory or representational injustice, which is rooted in political marginalization and the exclusion of specific individuals and groups from decision-making processes and institutions (Fraser 2005)” (O’Reilly, 2016, p.422-423). Based on these injustices, Fraser advocates for three intersecting remedies – “recognition, redistribution, and representation that can be implemented in transformative and affirmative way” (O’Reilly, 2016, p.423). All these remedies should be implemented jointly in order to achieve gender justice.

“According to Fraser, recognition should be reached through ‘revaluing disrespected identities and the cultural products of maligned groups’, ‘recognizing and positively valorizing cultural diversity’, and transforming ‘societal patterns of representation, interpretation and communication’ (Fraser 1997, 19)” (O’Reilly, 2016, p.423). “Second, Fraser endorses redistribution through ‘redistributing income, re-organizing the division of labor’ and increasing democratic decision-making to overcome the injustices of maldistribution (1997, 19)” (O’Reilly, 2016, p.423). “Third, she highlights the importance of representation, both in terms of the

⁴² For more information, see in Chapter 2.

boundaries involved in advancing claims to just distribution and reciprocal recognition, and the decision-making rules and procedures by which claims are adjudicated (Fraser 2005, 7).” (O’Reilly, 2016, p.423). Each of these remedies can be implemented in two main manners through affirmation and/or transformation. Fraser (1997) explains it:

By affirmative remedies for injustice, I mean remedies aimed at correcting inequitable outcomes of social arrangements without disturbing the underlying framework that generates them. By transformative remedies, in contrast, I mean remedies aimed at correcting inequitable outcomes precisely by restructuring the underlying generative framework. (p.23)

Both of these contrasting approaches entail reaching gender justice. However, affirmative does not engage with root causes of injustice. The transformative approach aims to deconstruct main political, social, and economic discourses and to find new solutions. Under transformative process would be considered “supplanting neo-liberal economy with social democracy or democratic socialism” (O’Reilly, 2016, p.424). Women’s nongovernmental organizations have used these justice remedies with different logic, discourses that sometimes entailed the importance of ethnicity, citizenship rights, or gender. Before analyzing the usage of each of these remedies, I will reflect on the meaning of justice for women activists.

Is Facing with the Evil Past a Utopian Project?

For Foundation CURE, women activists' justice was mostly "Facing with the evil past – recognition of war atrocities that were committed in the name of ethnonational identity and usage of women as a weapon of war." ⁴³ They had a coherent stance on this issue and two primary reasons behind it - facing the evil past was needed to prevent victims' retraumatization and develop the rule of law in BiH. "How can we develop peace if the suffering of some women is not recognized by half of Bosnians? How can we prevent a second war from rising if we allow war perpetrators to walk freely?" said Alma. Justice was the precondition to build peace, and without it, there was no true peace in BiH for women activists of Foundation CURE.

On the other hand, women activists of United Women saw justice as something unreachable or as a form of utopia. 'There is no justice. We can never be satisfied with justice. There will always be someone who will not be satisfied.' said Neda. Other women activists of United Women had a similar stance. One of the main reasons for this perception was that people in BiH saw justice mainly through the ethnonational matrix, collective guilt of one ethnicity.

“If one war criminal receives a smaller penalty than the ethnic other criminals for similar crimes, that does not mean that one ethnic community is more guilty. Maybe there was not sufficient evidence, or some other rationale was behind it. Still, most people in BiH would not agree with us. They see these criminals as a part of their community.” said Neda.

Neda, Alma, and other United Women and Foundation CURE women activists were aware of political conditions, gender inequality, ethnic tension they lived in. However, they tried to find

⁴³ A statement that three women activists of Foundation CURE gave.

appropriate ways to discuss justice even though they were stuck in the ethnonational matrix imposed on them.

Gender in Justice Initiatives in Women's Nongovernmental Organizations of Postwar Bosnia and Herzegovina

In terms of gender, the justice initiatives of Foundation CURE and United Women mainly focused on developing the discourse of women as crucial changemakers who act based on their natural need for solidarity, tolerance, and open-mindedness. This natural need was in their gut, an instinct for them. The role of men, gender identities, sexuality, or roles of women outside of gender affirmative essentialism were rarely discussed in justice initiatives. Both organizations would emphasize how women were the only actors in BiH that did anything for justice and peace – in their public events, social media, advocacy action, and everyday small talks with coffee.

Foundation CURE had a very firm stance in terms of roles women had. Even evaluation survey for women's empowerment workshops of Foundation CURE had strong, biased questions, such as "What kind of contribution have women given to justice and peace?" and the following question was "Have men contributed anything to justice and peace?". These questions had two visible implications – a strong link between justice and peace; and biased perception about women and men's role in these processes.

Foundation CURE representatives had a strong opinion that justice and peace cannot be separated. Justice was a precondition for peace, and for them, peace was still not established in BiH, and for that very reason, they avoided word reconciliation.⁴⁴ The second implication of the survey question phrasing to respondents was that men did nothing for justice and peace. The answers were like

⁴⁴ For women activists of Foundation CURE, reconciliation meant a process that cannot begin until justice and peace are reached. The meaning of peace and reconciliation will be elaborated more in the following chapters.

that, as well. Since I did data processing after the workshop, I saw that only one woman stated that men did something for justice and peace, and the rest (14 of them) essentialized the role of women as key actors who managed to bring justice with their kindness and open hearts.

United Women in Banja Luka had a similar approach, but they were not very vocal about it. They would mention this only in the ethnic same group. In justice-related interactions with the ethnic other, they would somehow follow the narrative of other women activists. It seemed that for women activists of United Women, it felt difficult to take the label of peacemaker. One of the main reasons was that as ethnically read as Serbs, they were unwillingly associated with war atrocities, genocide committed by the Army of Republika Srpska. They would receive indirect suggestions on how it was their fault that the war happened.

"I remember how people looked at me in every side – Bosniaks and Croats as someone who was connected to war crimes, and Serbs as a traitor. They would not say it, but you could feel it. Even though this is not the case anymore, the feeling does not go away that easily."

Elissa Helms writes about Bosniak women activists who saw ethnic other women as the ones who "started the war"⁴⁵ (Helms, 2010, p.20). Women activists in Helms's article did not say this to ethnic others directly, but indirectly through their display, the wardrobe that had a clear message. Also, they discussed this among themselves if they were in an ethnic homogenous group. The main reason for not discussing these roles with ethnic other women was that they wanted to have peace with them, and to achieve that, they had to silence justice. Even though justice was not that vocal in the interaction between ethnic others, it was tangible, as we can see. It created consequences, ongoing fear from falling apart, and eventually stagnation in their work. However, they have

⁴⁵ The article discusses reconciliation initiatives where Bosniak returnees/IDPs return to their home places mostly populated by Serbs.

managed even in these conditions to develop changes and implement justice initiatives that demanded and produced some changes, even on a small scale. One of these initiatives was Forgotten Children of War.

Zaboravljena Dijeca Rata - Forgotten Children of War

One of the topics that got recognition in Bosnian society through Foundation CURE, Ženski sud, and other actors was the strategic use of rape as a weapon of war. This issue was mainstreamed in every part of Foundation CURE work. I would often hear them say in public, "Wars are won through women's bodies." Events organized by the organization, such as PitchWise⁴⁶ festival, panel discussion, and training, would always have this topic. In the last couple of years, the issue of wartime rape has expanded towards children (now adults) who were born out of wartime rape. One of the latest justice-related initiatives of Foundation CURE and the NGO Zaboravljena dijeca rata (Forgotten Children of War) focused on these children's rights. Ajna Jusic, a Bosniak activist and founder of Zaboravljena dijeca rata was first an activist in Foundation CURE. After several years of her activism with them, she founded an organization that works on improving living conditions for children who were born out of wartime rape, as she was. Justice initiatives of Zaboravljena dijeca rata and Foundation CURE were consistently implemented with joint actions. They did crucial joint justice initiatives that had as the main goal to gain recognition for forgotten children of war, and I will reflect on one of them.

In February 2019, they started the advocacy initiative "One parent name" that was developed out of another initiative, "Breaking Free"⁴⁷. The main goal of this initiative was to change policies and

⁴⁶ The PitchWise Festival is an annual four-day feminist music, art, and activism festival held in Sarajevo that was established by Foundation CURE in 2005" (Wikipedia, 2021, p.1).

⁴⁷ Breaking free is an exhibition that shows stories of children who were born out of wartime rape. It was displayed in Sarajevo, Srebrenica, and Tuzla. Even though this exhibition has traveled only to 3 places and only in the Federation

procedures for data processing in public institutions. Children born out of wartime rape had to write their father's name in any application form – for formal education enrollment, health application, or any other formal request. Most of these children did not know the name of their fathers. Even if they knew, the question was whether they wanted their names in any paper and to acknowledge them. The answer to this question would be most likely not. Zaboravljena dijeca rata and Foundation CURE implemented this initiative to prevent the ongoing retraumatization of children (nowadays adults) who were in this situation. They wanted that these forgotten children who were surviving ongoing social and cultural injustice to become recognized and visible parts of their community.

Activists demanded that one parent's name should be sufficient for any formal application or even non for children who did not know either of their parents. For those who have one parent, it should not matter whether the mother or father's name was written in the papers or any parent at all. This justice initiative had citizenship rights logic to some extent. It focused on the Personal Name Act that does not have an article that says that a person has to give the father's name to any institution to be identified or claim rights. In addition to this, they demanded changes of articles so that any adult person can ask for changes in identification papers. This would mean that a person can choose their parent in the birth certificate or any other formal paper after becoming an adult.

In order to achieve this, they traveled to cities in the Federation of BiH and advocated government representatives to change these procedures and support the initiative for law changes. However, this advocacy action was only implemented in the Federation of BiH even though the same regulations in Republika Srpska and Brčko District existed. They would sometimes mention that

of BiH, it has managed to reach Italy or, to be specific, the collection was presented in the north region of Italy. (Information obtained from the website of the organization)

there was the same problem in RS and BD. Usually, it would be on a webpage, written article, but as a side fact. When they would mention it orally, it would only be when the audience was appropriate (that would not see this as a pointing finger towards committed wartime rape by an ethnic group). One of the reasons for not discussing regulations in Republika Srpska and Brčko District was that the laws and administrative procedures were different on the entity level. The second reason was that these conversations with governmental representatives in Republika Srpska would most likely be misinterpreted and not well received. It would probably be seen as an initiative against RS since the Army of Republika Srpska used collective rape as a weapon of war (MacKinnon, 2006). Governmental representatives heavily denied such implications.

Due to these severe political tensions, women activists of Foundation CURE and Zaboravljena dijeca rata could not advocate for the justice and rights of all forgotten children of Bosnia but of those for whom they felt that it was possible. “Here, everything is sensitive. You need to think twice before saying something. When we want to advocate something on a country level, we have to have the support of our sisters (meaning women activists in RS) in Republika Srpska.”⁴⁸ said Alma, Bosniak activist of Foundation CURE. Since women’s NGOs in Republika Srpska did not participate in this initiative, they did not want to do advocacy actions in RS. On one side, we can see that there was respect and feminist solidarity among women activists. They wanted to create actions on a country level only with ethnic other sisters in RS. Still, feminist solidarity had its limits. The central limit came from captivity in the ethnonational matrix imposed by Dayton Agreement and nationalist governmental representatives. Feminist and women activists had to address every issue very delicately – not to offend the ethnic other and to show respect towards

⁴⁸ Women’s NGOs in Republika Srpska and Brčko District did not participate in the initiative at the time of fieldwork (April 2021).

people of their ethnicity. They always had an ethnic lens for their work, and for that reason, feminist solidarity had unsaid words, fear of falling apart if something unforgivable was said. It was simply trapped in ethnic logic. It could not look at all members of the community or feminist sisters of Bosnia without seeing ethnicity or, better said, potential danger.

However, this initiative has produced a significant impact. It has challenged the stereotypical discourse of survivors as persons who are in need of care or who cannot take justice into their hands. Through public speeches of these forgotten children of war have managed to gain recognition for the most invisible survivors of war. In addition, they have addressed the issue that wartime violence and especially wartime sexual and gender-based violence can directly affect generations that were maybe not even born during the war. Ajna Jusic, Zaboravljena dijeca rata, Foundation CURE have managed to break the silence and raise important questions about the social stigma survivors, and their families had to go through on a daily level. Still, in order for this initiative to grow outside of the ethnonational matrix and stop the ongoing traumatization of all forgotten children of war, it will need the support of feminist sisters in Republika Srpska, but even then, it will be questionable since state laws tend not to change (O'Reilly, 2016), as well as the nationalist discourse of governmental leaders.

How different are we?

"Hey, do you have time to help us out with something?" texted Gordana to me on Whatsapp. After a short chat and call where she explained that I need to do a statistics job, I received an excel table with various numbers and a draft report. After taking a glance at the things she sent, I realized that this was research conducted by United Women and Medica Zenica⁴⁹ women activists. They analyzed the multisector response to gender-based violence during lockdown⁵⁰ in Bosnia and Herzegovina. The main goal was to find how cooperation among key actors to protect survivors of gender-based violence functioned during the lockdown and how adaptable the system was to new conditions. Overall, they wanted to find with this research if women that have survived GBV during the covid19 pandemic were included or excluded in the distribution of resources and if the system recognized them. In other words, they wanted to address representational injustices (O'Reilly, 2016).

Medica Zenica developed a research methodology. One part of the research was quantitative. It had data on the work dynamics (working hours, modes of work, etc.) of governmental and nongovernmental actors, the number of GBV cases each institution had to work on, and obstacles they faced. The second part of the research was focused on the perceptions of victims of GBV on the support that was provided to them. The study was conducted in 38 municipalities in both entities (17 in Republika Srpska, 21 in Federation in BiH) and Brčko District. Medica Zenica gathered data for the Federation of BiH and United Women for the Republika Srpska and Brčko District. Even though they used the same methods – quantitative survey for institutions and NGOs

⁴⁹ "Association "Medica" Zenica is a specialized women's organization that has been operating throughout Bosnia and Herzegovina for almost three decades and seeks to respond to the needs of the most vulnerable categories in society" (Medica Zenica website, 2021, p.1). Medica Zenica mostly works with Bosniak women.

⁵⁰ Lockdown represented the period when there was a police hour and significant movement restrictions. It lasted from March until June 2020 in BiH.

and qualitative survey for victims of GBV, they did not combine gathered data. There were two sections in the publication. One chapter was analysis for the Federation of BiH and the second was for Republika Srpska. I did not understand why they did not gather the data and see how did the system function on a country level at that time. Mainly because there were almost no differences in the final result. In both entities, women's NGOs better adapted to lockdown conditions, the center for social welfare and police did not communicate well, low material support was given, and there was a poor referral of victims to specialized services.

AUTHOR: "Why do not you (meaning United Women and Medica Zenica) combine the data and make a country-level report? There are no significant differences."

WOMEN ACTIVIST: "Yes, I understand your question, but we do not interfere in the analysis of things related to the Federation of BiH. It is not our part."

I tried to explain that I am not suggesting that they interfere in interpreting data for the Federation of BiH, but that they analyze all gathered data since there were no significant differences. Also, they lived in the same country, and 39 municipalities had the same issues, not just in Republika Srpska or the Federation of BiH. For me, it did not seem logical to separate these data, but for Gordana, it did. Again, like in the Zaboravljen dijece rata justice initiative, feminist and women activists were trapped in the ethnonational matrix imposed on them. There was fear that if something inadequate was said that it could lead to a break-up. They wanted to keep their realms of peace untouched and stick to the safe side of silence. In this manner, they did not have to deal with the problems, ghosts of the war past, or possible misinterpretation. The silence was a preferred choice of interethnic encounter in general and, in this case, as well.

Discourse in social and political science argues that silence can be productive for social integration among ethnically divided groups, but in reality, silence instead develops ethnic boundaries (Mijic, 2018). We can see that this was the case. “By silencing the war in interethnic encounters, people protected their existing world views from external contestation and in the end maintained ethnic boundaries” (Mijic, 2018, p.153). Silence among United Women and Medica Zenica activists trapped them in ethnonational discourse that was put on them by Dayton Agreement and nationalist government. One of the perspectives feminist and women’s activists could have used to escape this trajectory was citizenship logic since they were analyzing the level of accomplishment of GBV survivors’ rights. The accomplishment of rights for survivors of GBV and justice in the judiciary and any other level should be the same throughout BiH and beyond any border. Still, activists in this story understood, lived, and practiced citizenship with a deep ethnic connection. It seemed to me that they could not think about citizenship and justice beyond ethnically based institutionalized practices and discourses. However, in reconciliation initiatives and justice initiatives focused on socio-economic injustice, they mostly talked about citizenship rights.

Searching for Rights

During my fieldwork, most of the citizenship rights logic was employed for redistribution justice remedies that entail "structural transformations geared towards improving the social status of war-affected women" (O'Reilly, 2016, p.432). One of the reasons this remedy had citizenship logic was that it "required extensive state-sponsored, collective measures to achieve the significant redistribution of material resources (Durbach and Chappell 2014)" (O'Reilly, 2016, p.432). These initiatives had the biggest obstacles, and the main reason was that they demanded the government's actions. As we have seen, Ženski sud and women’s NGO’s around it advocated for the establishment of governmental Program for Victims of Wartime Rape, Sexual Abuse and Torture

and their Families in BiH, but until now, they did not manage to push the government to do this, but this was not the only problem. BiH still "lacks a state-wide law and comprehensive reparations strategy which would uphold the rights of all survivors to measures of restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition" (O'Reilly, 2016, p. 433). This lack of country-level laws has led to inconsistent practice towards wartime crimes survivors in both entities – Federation of BiH and Republika Srpska.⁵¹ It seemed that any law changes were almost impossible and a waste of time since state-level law changes depended on nationalist governmental representatives.

The only justice redistribution action that I identified during my research period was for the country-level Alimony fund. It was implemented by Foundation CURE. Many single parents in Bosnia were not able to get alimony payments for their children because laws in both entities were not the same. Women who had mixed ethnic marriages had the greatest problems. If one partner settled down in another entity or canton, they would not receive alimony for decades. This left many women in a difficult position where they had to find means for survival, not just for them but also for their children. Foundation CURE had a mainly policy-oriented approach to this topic. They asked for law changes based on research, policy papers, and stories of women who did not receive any alimony payment, sometimes even more than decades. They equally addressed this issue in ethnic terms and demanded women's citizenship rights be fulfilled. Even though this initiative was on a country level, during my fieldwork in Republika Srpska, I did not hear any activists discussing this issue. One of the reasons was that Foundation CURE was focused on top-

⁵¹ "Survivors of rape living in the Federation are privileged over those living in Republika Srpska, and within the Federation, survivors of rape and sexual violence are explicitly recognized as war victims without requiring that they demonstrate physical damage" (O'Reilly, 2016, p. 433). "In Republika Srpska, 60 percent bodily damage must be proven and psychological harms are not considered (TRIAL 2011, 29) that has led to the situation that many survivors are not eligible for assistance" (O'Reilly, 2016, p. 433).

level government that actually can change the law. However, until now (September 2021), Foundation CURE did not manage to push the government to establish an Alimony fund on a country level.

Feminist Solidarity

As we have seen in this and the previous chapter, women activists worked in a highly hostile political environment. Nationalist narrative and ethnic tensions were part of their daily life. On some level, feminist and women's activists managed to use feminist solidarity to escape this ethnonational matrix imposed on them. They analyzed the position of marginalized groups together, discussed ways they can overcome country-level problems, and found alternative paths in doing so. However, there was a constant fear among them. The ethnic lens was almost always present when justice was at the table. Even when it was not present, like in a country-level alimony fund initiative, it would come on the back door or, better said, through the government. This created blocking fear that was deeply connected to potential misinterpretation by ethnic others – if some words will be read as offensive, colonizing, or disrespectful. Any possible disagreement and argument were read as potentially dangerous and not constructive for their work. In some sense, feminist solidarity was trapped in the totalitarianism logic. "Any effective solidarity involves working 'across differences without trying to suppress them, and mak[ing] those differences productive' (Gilbert, 2018)" (Littler & Rottenberg, 2019, p. 874). Feminist solidarity in BiH used ethnic differences in a productive manner to some extent. They created joint actions, such as United Women and Medica Zenica research, but it had important restrictions. Collective reading of ethnicity had supremacy over feminist solidarity or individual experiences of women. They were afraid to discuss their positions and thoughts openly, but even in these conditions, they have made forgotten children of war visible and argued for women's citizenship rights in BiH.

Chapter 5: Building Society of Bosnia and Herzegovina - Reconciliation and Peacebuilding Initiatives of Women's Nongovernmental Organizations in Postwar Bosnia and Herzegovina

We are at Peace

“Mi smo u miru, što ćeš ti istraživati?” (We are at peace, what will you research about?) replied a participant on the PitchWise festival⁵² when I told her my research topic. Her repulsed face and eyes filled with anxiety continued staring at me even after our short conversation. She was not at ease that I wanted to write about reconciliation in Bosnia and Herzegovina. Unfortunately, she was not the only person that would react in this manner. Bitterness and sadness were an integral part of this topic.

On the other hand, there was a permanent fear that any further discussion could lead to conflict, especially with the ethnic other⁵³. It was important to maintain things the way they were and to try to make them better through shifting the focus on the future of Bosnia and Herzegovina – the rights of all citizens regardless of their ethnicity, gender, sexuality, race, class, or any other aspect. So, what did peace or reconciliation mean for women activists in BiH in 2020 and 2021? Living without war, or something more? Or did they talk about reconciliation at all or peacebuilding, perhaps? Before explaining what reconciliation meant for women activists of both organizations, I will summarize some academic literature that discusses reconciliation and peacebuilding since both terms were used by women activists of Foundation CURE and United Women.

⁵² “The PitchWise Festival is an annual four-day feminist music, art, and activism festival held in Sarajevo that was established by Foundation CURE in 2005” (Wikipedia, 2021, p.1).

⁵³ I was mostly read as a Serb by people with whom I interacted. People often would say to me, “Oh, you Serb like this/do this, etc.”.

Reconciliation in Postwar Bosnia and Herzegovina

Reconciliation is broadly understood as the re-establishment of friendly relations among once divided communities or individuals. This aspect is crucial in postwar BiH, where *komšiluk* (good-neighborliness) plays an essential social role (Helms 2010; Sorbaji 1994; Bringa 1993). *Komšiluk* represents a mechanism of social control, but as well the most significant institution of personal relations. Elissa Helms shows that for people to have good relations with neighbors (*komšije*), or “the possibility to share the good and the bad” (Helms, 2010, p. 25), was the most significant aspect for individual reconciliation. Good relations did not present the central part only for the individual level of reconciliation but for other levels, as well.

Strupinskiene develops a reconciliation matrix that shows different types, levels, and depths of this process. The author uses previous work of various scholars to create this tool or, to be specific, “almost 60 different academic definitions of reconciliation” (Strupinskiene, 2017, p.452). Strupinskiene identifies “three phenomenon types (political, social, and economic), three levels (individual, communal, and national) and different depths of reconciliation (thin or thick)” (Strupinskiene, 2017, p. 453-454) that she tested on the ground - in Prijedor⁵⁴. Her research shows that the meaning of reconciliation is fluid and that each person has a different understanding of the concept.

"Most of Serb interviewees claimed that Prijedor is a reconciled town and defined reconciliation as primarily social and/or economic in "thin" terms" (Strupinskiene, 2017, p.462). Reconciliation represented for Serbs that "there is peaceful coexistence and economic cooperation across ethnic lines" (Strupinskiene, 2017, p.455). It did not imply facing the evil war past, forgiveness, or

⁵⁴ A multiethnic city located in Republika Srpska, an entity of BiH where war atrocities were committed in the Bosnian war. The Army of Republika Srpska killed over 3000 Bosniaks and Croats.

rebuilding trust. However, "two-third of non-Serb respondents thought that Prijedor is still not reconciled (nepomiren) "(Strupinskiene, 2017, p.462) because they had a different understanding of this concept. Bosniak and Croat interviews from Prijedor saw "reconciliation as primarily social and/or political in a "thick" sense, as something requiring true trust and full and honest engagement with the past" (Strupinskiene, 2017, p.462). For non-Serb respondents, reconciliation was acknowledging their suffering during the war and then building relations where some level of forgiveness and mutual trust would be reached.

A thick level of reconciliation would somehow mean that society has moved on from the conflict and reached terms with the evil past. However, this level of reconciliation seems unrealistic in BiH, or at least to say for now if we take into consideration recent light of events presented in the second chapter. A thin level of reconciliation was present in almost every aspect in BiH, and it had many hidden layers that did not allow (re)building real trust (Helms, 2010; Clark, 2009; Strupinskiene, 2017). For example, in Helms's ethnographic work, we can see that Bosniak refugee/displaced women⁵⁵ had to silence their feeling and thoughts if they wanted to reach reconciliation. Unhealed wounds from the war, the culpability of ethnic others for war atrocities, and the death of the most beloved ones were just one part of silenced thoughts and trauma that these women had in their minds and hearts. Still, as Helms describes, one of the critical aspects of reconciliation was establishing good relations with ethnic others in different areas, levels, and depths.

⁵⁵ The author does not argue that only Bosniak refugee/displaced women had to silence justice. The article I refer to, "Gender of coffee: Women and reconciliation initiatives in post-war Bosnia and Herzegovina," analysis Bosniak women activists.

Overall, reconciliation should represent a process of facing the evil war past and creating a discourse that would allow the community to reach forgiveness across ethnic lines. In general terms, political, social, and economic reconciliation can be understood as a process towards a just society where people can freely enjoy their rights and trust each other regardless of their identity. It entails a process where previous inequalities, ethno-nationalist discourses that led to war atrocities are discussed and disavowed. Altogether it should be a process towards establishing good, honest relations with trust on every possible level in once divided communities.

Peacebuilding in Postwar Bosnia and Herzegovina

Even though reconciliation entails many aspects and levels, it represents only one part of peacebuilding according to the UN policy framework.

“Thus, peacebuilding includes but is not limited to reintegrating former combatants into civilian society, strengthening the rule of law (for example, through training and restructuring of local police, and judicial and penal reform); improving respect for human rights through the monitoring, education, and investigation of past and existing abuses; providing technical assistance for democratic development (including electoral assistance and support for free media); and promoting conflict resolution and reconciliation techniques.” (Schnabel & Erhart, 2005, p. 57)

Peacebuilding, broadly understood, is a form of intervention that aims to re(build) society in countries that have been in war. Unlike reconciliation that is focused on reestablishing individual, communal, and national level relations (Strupinskiene, 2017), "peacebuilding looks mostly at the top-level picture" (MacGinty, 2007)" (O'Reilly, 2012, p.530). It aims to establish a different political system to prevent another war or, specifically, to develop a neo-liberal economy and politics.

The liberal peacebuilding concept has been implemented in BiH since the Dayton Agreement (O'Reilly, 2012). It "entails powerful states, international organizations and international financial institutions promoting, and often imposing, policies intended to achieve democratization, good governance, respect for human rights and the rule of law, and developed, open markets (see, for example, Richmond 2002, 2004a)" (O'Reilly, 2012, p.530). Liberal peacebuilding agenda has been significantly implemented through the Office of the High Representative (OHR) that has been established after the DA. OHR represents "ad hoc international institution that became the executive and legislative body of Bosnia-Herzegovina, with unlimited authority to impose laws when locals were unable/unwilling to reach agreement, and to dismiss from public office any individuals who violated their legal commitments under Dayton or obstructed its implementation" (O'Reilly, 2012, p.533). This body imposed and implemented crucial structural change, and in BiH some of these changes were "the unification of Bosnia-Herzegovina's customs service, intelligence agency, taxation and customs systems; the creation of the State Investigation and Protection Agency to deal with serious and organized crimes; the opening of the state Court of Bosnia-Herzegovina; the introduction of VAT; and the establishment, of state-level command and control of the armed forces" (O'Reilly, 2012, p.532). Even though peacebuilding interventions may seem essential in establishing peace in divided communities and rebuilding countries, they have many problematic issues.

Some of the main concerns related to liberal peacebuilding interventions are that they do not provide sufficient space for local ownership in re(building) the system (Donais, 2009); they are focused on liberalization (MacGinty, 2007); and they often end up reinforcing gender norms and hierarchies that support inequality (O'Reilly, 2012). In many cases, norms and values were imposed on people that had a different perception of what peace needs to be or what social order

they wanted. Besides this, peacebuilding interventions have severe implications for gender equality. Marie O'Reilly analyzes Ashdown's⁵⁶ regime in BiH and finds crucial links between gender and liberal peace projects. "The liberal peace project is also a gender project that (re)produces a gendered, classed and racialized/Balkanized order in which 'manliness' and 'western-ness' are both signifiers and sources of privilege, superiority and domination" (O'Reilly, 2012 p.543). In other words, the author argues that liberal peace projects in BiH during Ashdown's regime have constructed and reinforced patriarchal gender norms and hierarchies. Peace was associated with "masculinity and qualities such as "toughness, rationality, control, and fearlessness that only strong Western men have" (O'Reilly, 2012 p.543). Other important attributes of peace such as "tenderness, emotionality, and vulnerability were labeled as feminine and weak sides of the process in BiH" (O'Reilly, 2012 p.543). These gendered and other issues of peacebuilding intervention show that in some kind of sense, these actions can be interpreted as colonial civilizing missions (Paris, 2002). They impose peace and social change but do not necessarily provide space to local communities to engage appropriately with these actions. However, peacebuilding actions consist of reconciliation on individual, communal, and national levels that aims to reestablish trust among divided communities. Since both terms were used in BiH by women activists, I will summarize the main commonalities and differences between these two concepts that I have identified.

⁵⁶ Paddy Ashdown was High Representative of OHR from May 2002 until January 2006.

Reconciliation and Peacebuilding – What's the Difference?

One of the key joint characteristics of reconciliation and peacebuilding is that both aim to establish peace in post-conflict countries. However, approaches are different. Peacebuilding is mostly associated with an interventionist model (Paris, 2002; MacGinty, 2007; Donais, 2009; O'Reilly 2012), and reconciliation often entails a softer approach (Crocker, 2000; Strupinskiene, 2017). Peacebuilding imposes crucial structural changes that go from law adoption to implementation. These structural changes come from the top level. However, reconciliation mainly focuses on trauma healing and finding peace and truth on political, social, and economic levels among divided communities.

Broadly speaking, reconciliation should represent a country's internal trauma healing process that different actors employ – individuals, NGOs, governments. This does not mean that international stakeholders are not part of it, but it usually entails their softer involvement through financing grassroots initiatives. However, this often is not the case in practice. We have seen in previous chapters that the TRC project that aimed to reconcile communities has failed, and one of the main reasons was that it came from external international actors. An additional example would be outreach conferences of ICTY that were supposed to show the truth about committed war atrocities in the Bosnian war and gain the trust of the local community in the prosecution of war criminals. However, this initiative has failed, as well. The main reason for their failures was that they did not look at the broader social, economic, and political picture. Reconciliation is a process that divided communities need to want and engage with.

On the other hand, peacebuilding entails interventions on the top level where local ownership is poorly implemented (Donais, 2009; O'Reilly, 2012). A form of peacebuilding intervention would be new amendments of the Criminal Code on a country level that aims to force divided

communities to acknowledge committed war atrocities. It entails the inadequate inclusion of local actors in the design and implementation of intervention actions. Overall, reconciliation is characterized by a softer approach, more local ownership, and less involvement of international actors. Peacebuilding is characterized more by interventionist logic, poor local ownership, and significant interference of international actors in local politics. In terms of gender, extensive scholarly literature shows that women were put at the frontline of reconciliation and peacebuilding since they were seen as natural peacemakers (Helms, 2003, 2013, 2014; Deiana 2018;)

However, women's NGOs that I look at had a very different perception about the meaning these two concepts entailed.

We are not at Peace

Foundation CURE almost exclusively talked about peacebuilding (izgradnja mira) and rarely used the word reconciliation (pomirenje). For them, BiH was still not in a state of peace, or in other words, the country was in conflict.

“We need to build peace, and that means to end violence in BiH. We still suffer from violence on a daily level, but it is not visible. No one is killing anyone on an ethnic basis, but then domestic violence is high, women cannot ensure equal rights in both entities, people are afraid to speak against the government, and on a daily level, there are ethnically based insults in public space. It looks like a Cold War.” said Alma during one out of many of our informal conversations.

However, Alma and other activists of Foundation CURE did not have the same opinion on this when women activists were the main actors. In addressing conditions in the women's movement, they almost exclusively talked about reconciliation. They argued that women activists have reached peace and managed to reconcile, but the general public did not reach it. Their main argument why women activists in Bosnia and Herzegovina should lead peacebuilding and

reconciliation was that they had reached forgiveness and created allegiances beyond ethnically established borders. It was part of their nature. Foundation CURE used this discourse of peacebuilding and reconciliation freely in public because they acted mostly among the Bosniak community that usually supported the fact that the country was still not at peace during my fieldwork.

United Women used both terms interchangeably, and it depended on the audience. When women activists were around, they would use words of peacebuilding (*izgradnja mira*) to emphasize that there was more work to reach peace. However, the word reconciliation was used in two situations. Firstly, they discussed that women organizations do not have ethnic division and that they are reconciled. The second situation was when governmental representatives of Republika Srpska were present⁵⁷. In front of the government of Republika Srpska they would use the word reconciliation (*pomirenje*) and indicate that there was peace in BiH, even though they did not think that way.

GORDANA: “We are not at peace. People are afraid of what to say and what not to say, but sometimes you have to pretend that you are at peace in order to reach your goal.”

AUTHOR: “What does that exactly mean in your work?”

GORDANA: “Well, if I want to change something on a country level, a law, policy, or whatever, that should mean that we are a peaceful country. If we are not that, then how can I argue for any change? Our frozen conflict should get the primate, not our ideas of some administrative integration, such as the development of country-level programs for victims of SGBV in war.”

Usage of reconciliation and peacebuilding had a strategic purpose, and it strongly depended on the audience in the room for United Women and Foundation CURE. Overall, both organizations

⁵⁷ The governmental representative of Republika Srpska tended to speak that there was peace and that the country is working smoothly in order to prevent restructuring of DA and losing the autonomy of RS.

considered that women have reconciled but that there was no peace in BiH. They saw themselves as key actors in restructuring BiH and building peace that represented a crucial political topic. In some sense, they wanted to take some level of ownership of the peacebuilding project in BiH. However, it did not matter whether word reconciliation or peacebuilding was used since their approach to this topic was similar. It was presented in apolitical terms and with a strong emphasis that women want to build a society where every citizen in BiH has equal rights. Citizenship rights were used as an impetus or basis for reconciliation and peacebuilding initiatives, unlike in justice initiatives that had shadows of ethnonational identity. However, a strong desire for women's ownership of peacebuilding was seen, and it came from affirmative essentialism of women as peacemakers (Helms, 2003, 2013, 2014). In the following section, I will analyze initiatives of Foundation CURE and United Women that show citizenship rights logic, an apolitical approach that sometimes silences identity categories, such as gender and ethnicity, and framework of affirmative essentialism in their reconciliation and peacebuilding initiatives.

Honest Expression of Desire for Peace - Apolitical Subjects and Objects of Reconciliation

Zoom conference “25 years of Peace since Dayton Agreement”⁵⁸ started with the presentation about the number of cultural monuments destroyed during the Bosnian war and how many were restored. According to the data of the panelist, Milan Stijak, around 2.770 cultural monuments were demolished. He argued that ethnic cleansing was not the only war atrocity committed in BiH, but cultural genocide. In response to this dreadful fact, United Women and the Student Union of the University of Law in Banja Luka worked to establish a new monument in Banja Luka – the bench of peace in the form of a circle.

“The bench of peace is in the form of a circle because all points in the circle are equally distant from the center. This symbolizes the equal importance that every person has in society. I want to emphasize that this monument is apolitical and just an honest expression of desire for peace.” said Milan Stijak.

It was essential to emphasize this because the creation of the monument had a lot of controversies. Some politicians in Republika Srpska called the monument shameful, but United Women did not want to mention their names during the zoom conference or informal conversations. Also, panelists

⁵⁸ The conference was organized by United Women, who implemented the project on reconciliation with the financial support of Bosnia and Herzegovina Resilience Initiative (BHRI), the International organization for migration (IOM), and the United States Agency for International Development (USAID). The main implementing partners of United Women on this project were the Administrative Service of the City of Banja Luka and the Students Union of the University in Banja Luka. The project had two core activities: conferences on reconciliation and peace and setting up the bench of peace in Banja Luka.

emphasized that students at the University of Pale⁵⁹ called this monument a disgrace for Republika Srpska.

Even though Milan Stijak, and other panelists mentioned ethnically based political tensions, the discussion was not focused on that aspect. They did not connect cultural genocide, the bench of peace, or any other action in this project with ethnicity or gender, but with citizens of BiH exclusively. Their presentation was about destroyed mosques, orthodox churches, cathedrals, houses old for many centuries, monuments that presented the landmark of their city, Banja Luka, and their compatriots were at the core. The loss of Bosnians⁶⁰ and the need to restore the lost cultural heritage and create new was the bond participants envisioned as a significant part of reconciliation. Reclaiming public space and finding ways to re(build) it was one of the key aspects they wanted. Participants' words during the conference implied that there was a form of organic belonging to the city they lived. "We want to drive away from the ghosts of the war past from our streets and create peaceful space in our beloved city," said Nada Golubovic. Banja Luka was their public space where they claimed their citizenship rights. Even though Nada's sentence may imply

⁵⁹ Students at the University of Pale put a memorial plaque at the Student dormitory in 2016 with Radovan Karadzic, a convicted war criminal who was one out of many responsible for genocide in Bosnia. This was supported by Milorad Dodik (president of Republika Srpska at the time and Chairman of the Presidency of BiH since 2020), who said during the establishment of the memorial plaque that Republika Srpska was an autonomous state and that Serb cannot disavow its history and past, and people who supported their establishment (RTRS TV news, 20.03.2016). Even though OHR was present as the monitoring mechanism in BiH, it took four years to remove that memorial plaque. In December 2020, the memorial plaque in Pale was removed, and the bench of peace has been set up in Banja Luka.

⁶⁰ Participants implied to all citizens of BiH, but they mostly used the word Bosnians (Bosanci) in their speech.

a politicized perception of citizenship rights that calls the public in Banja Luka to reshape the city, it had an apolitical aura. After claiming to belong to public space, Nada Golubovic emphasized that these actions are just "an apolitical call for solidarity".

For participants of this event, it was clear that they wanted a peaceful society, suživot (coexistence) with ethnic other, more investment in social programs, and restoration of cultural monuments. Overall, they wanted a life where reconciliation meant better living conditions for every citizen of Bosnia and Herzegovina, but they had to label this discussion as apolitical. For that reason, the core of reconciliation for them was at citizenship rights and not on ethnicity or gender. It seemed that both of these identity categories or any other did not have any strategic purpose because the narrative was focused on equal pain and suffering of all citizens of BiH and in apolitical terms. The key reason for silencing ethnicity, gender, or any category was to discuss reconciliation in Republika Srpska as apolitical as possible. Identity categories often are employed as mechanisms of regulatory regimes. In Bosnia and Herzegovina, identity categories such as gender and ethnicity were used to establish various regulations and discourses – Dayton Agreement or biased fixed victim-perpetrator narratives⁶¹ that supported the nationalist discourse. Women activists of United Women operated within these imposed fixed categories⁶² through their silence on public events, such as in this Zoom conference. It was essential to escape these identity categories because their

⁶¹ I refer to a developed public discourse where Serbs are mostly labeled as rapists and Muslims as ultimate victims. For more see Dubravka Žarkov.

⁶² I want to emphasize that activist's ethnicity and gender had different meanings than imposed on them. We have seen this in the previous chapters, but it was often not spoken out loud.

usage would mean interfering with the state politics that could put their work in danger and peace in BiH.

United Women and student activists at the University of Banja Luka downplayed the importance of the bench and their engagement with the profoundly political topic, reconciliation, and peace. This strategic move not to engage with any of the identity categories, ethnicity, gender, and claim rights of BiH citizens in apolitical manners was their form of silent resistance to nationalist discourses and a step towards peace. The apolitical bench of peace, apolitical call for solidarity, and apolitical discussion on reconciliation were more political than any participants would admit. The impetus of their conversation was on the equal accomplishment of citizenship rights where streets and cities belong to Bosnian and Herzegovinian, and not Serbs, Bosniaks, Croats. United Women were not the only ones who would approach reconciliation from a citizenship rights point of view. Foundation CURE did the same in a slightly different manner.

Women as Peacebuilders

Reconciliation and peacebuilding initiatives in BiH did not all have this apolitical frame and silence about identities. In Foundation CURE work, I often encountered a strong emphasis on identity categories. At certain moments, these identities felt like the driving force of every public event, discussion, and publication. Public appearance would often start with some identity claiming, such as “I am a mother, or I am Bosnian, or I am a peace activist.”. These identity performances were used to claim rights and advocate for political, social, and economic changes. Foundation CURE had a strong advocacy approach in law and policy changes focused on equal rights and opportunities of all citizens of BiH, regardless of their gender, ethnicity, race, class, or any other aspect. One of the first things they introduced me to was their fight to have an Alimony

fund on a national level or the change of the Constitution⁶³ to have an article on gender equality. To reach these goals, they used their multiple identities – an activist, morally pure character, a citizen of Bosnia and Herzegovina (Bosanka i Hercegovka), etc. Besides identity recognition, Foundation CURE usually had some background for their policy advocacy - policy papers, research, and publications supporting their claim.

In December 2020, Foundation CURE published the publication "Suočavanje s nemirom i izgradnja mira iz perspektive postdejtonske žene" (Facing with restlessness and peacebuilding from perspectives of the post-Dayton woman) that Ajna Jusić⁶⁴ wrote. Stories of 15 women activists of various ethnic backgrounds who worked on peacebuilding in smaller municipalities were presented. The main goal was to discuss women's role in peacebuilding and society in BiH, where all citizens should have equal rights and opportunities. At the very beginning of the publication, the author cites Margaret Mead "Never doubt that a small group of thoughtful, committed citizens can change the world; indeed, it's the only thing that ever has." (Jusić, 2020, p.6). Ajna Jusić and other women activists who contributed to this book called women of BiH (Bosanke i Hercegovke) to reunite and claim their citizenship rights. Citizenship in this book is seen more as a practice than status granted to them. Through practical examples of their activism, they argued that the meaning of citizenship has to change if society in BiH wants to reach peace. It has to go beyond ethnicity and look at the rights of people who live in BiH. Lister and Dobrowolosky argue that citizenship is always connected to agency and that through this agency, people recreate citizenship rights, norms, policies (Dobrowolsky, A.& Lister, R, 2003). This fluid

⁶³ The Constitution in BiH is the Dayton Agreement.

⁶⁴ She is an women activist of Foundation Cure and now leads NGO Zaboravljena djeca rata mentioned in the previous chapter.

and changeable perception of citizenship rights is the impetus of this book that claims that BiH was still in conflict and that women activists should be the leading actors in peacebuilding.

“Ono što se trenutno dešava u BiH jeste lažno kretanje ka naprijed gdje se konstantno provlači ideja potencijalnog „odmrzavanja“ sukoba što činjenično izaziva najveći strah ovog stanovništva jer niko ne želi preživjeti dosad preživljeno (Jusić, 2020, p.10).” (What is currently happening in BiH is false progress in a society where the idea of a potential “reopening” of the conflict is the biggest fear of our population because no one wants to survive what they have survived so far.)

In this book, it was clear that the conflict was not over but frozen or in a mute mode for all women activists. For that very reason, they have used phrasing peacebuilding 34 times and reconciliation only five times. Peacebuilding was used to refer to the general state in BiH and reconciliation to reflect that women activists have managed to forgive each other and reach peace. They saw women as someone who should unfreeze the conflict and be the leader of peacebuilding. Two main reasons were presented that supported that claim. First, they were brave, morally pure women who were not political agents responsible for war atrocities or inadequate living conditions in BiH. The second reason was that they managed to build good relations with ethnic others even though political climate and survived war atrocities were against them. Even though this advocacy and book imply a solid political stance, it often does not look that way. I will explain this through one story that was presented.

The first story of the publication is of Živana Sabljčić from Drvar, who started her activist work after the war and founded women’s nongovernmental organization Lasta. Živana explains that she received support in her activist work solely from women of different religions and ethnicities in BiH. Still, she did not receive support from women engaged in politics⁶⁵. She made the distinction

⁶⁵ Živana refers to representatives of political parties in BiH.

between activism as apolitical and politics. For her activism was about humanitarian work and providing protection. It did not relate to politics in any sense. Elissa Helms writes that “in the Bosnian context, putting NGO label was also a way to distance oneself from the widely distrusted realm of “dirty” politics, government, and corrupt business dealings” (Helms, 2013, p.106). However, they tried to distance themselves from the political arena, it did not look that way in practice.

In one paragraph, Živana says that she sued politicians of SNSD⁶⁶ because of libel and misogynic speech towards her and her colleagues. She notes that she managed to win them in court even though she did not receive the support of women politicians. Živana perceives her judicial process as apolitical and protection work. In addition, she makes a moral distinction between her, other women and feminist activists who were morally pure characters, and women politicians who had their hands dirty with politics. At the very end of the story, Živana says that “ŽENA JE SNAGA, ŽENA JE MOĆ, ŽENA NIJE ZA JEDNU NOĆ.” (WOMAN IS STRENGTH, WOMAN IS POWER, WOMAN IS NOT FOR ONE NIGHT)⁶⁷ (Jusić, 2020, p. 24). She could not accept the current role women have in politics as she saw them as puppets that were used by men and not as political agents. “Politics was once again labeled as a whore (Politika je kurva), the ultimate immoral figure and a metaphor for a host of gendered implications” (Helms, 2013, p.159). Perceiving herself and other women activists as apolitical subjects, she made a polar opposition to politicians who were in a morally lower position and worked for personal interest. Živana is not

⁶⁶ The Alliance of Independent Social Democrats is a Serb political party in BiH that has the leading political role in Republika Srpska.

⁶⁷ These sentences imply that a morally pure woman is strong, powerful, and does not give in herself to anyone who will not take her seriously – marry her. A politically strong woman can not be a one-night stand.

the only one who had this perception. Other storytellers in this publication distinguish themselves, activists who wanted to protect and reconcile society and women politicians who acted as passive agents and did not have the power to change anything. Overall, Živana does not see her work as political even though she was engaged on a public level in very political discussions, such as calling people to claim their citizenship rights, asking justice and entering the political arena through the court with politicians. She presented herself as just a woman who wanted peace and to build activism that brings together citizens of BiH regardless of their ethnicity.

Ethnicity was mainly not presented as a stumbling stone in reconciliation for these women activists, except in one case where a Bosniak woman from Konjic shared her story about ethnic discrimination by representatives of the health institution in Mostar. Still, throughout this book, a strong emphasis was given that ethnic tension does not exist in the women's movement in BiH. They managed to unite under the affirmative essentialist role of a woman who cares about other human beings (Helms, 2003, 2013). However, my fieldwork showed a different picture.

Women and feminist activists coped more with ethnicity labeled to them and ethnic other. As we saw in justice initiatives, ethnicity played an essential role in their work even though it was not often said, such as in the research United Women and Medica Zenica did together. However, in peacebuilding and reconciliation initiatives, citizenship rights had the leading role. Citizenship rights were the envisioned bond that would connect divided sides. Still, much more work was to be done to reconstruct the discourse of citizenship rights in BiH. Affirmative essentialism (Helms, 2003, 2013) has maybe served some purpose in peacebuilding, reconciliation, and claiming citizenship rights among women activists.

Nevertheless, if these activists want to reconstruct the meaning of citizenship rights, they would need to go deeper than their peace-loving nature. In the following chapter, I will analyze what

happens when justice and peace are combined. I will look at the one event organized by United Women on justice and peace that Foundation CURE and I attended.

Chapter 6: Breakup of Justice and Peace in Women's Nongovernmental Initiatives in Postwar Bosnia and Herzegovina

As we have seen in previous chapters, justice was a precondition for peace for Foundation CURE. True peace without justice can never be reached for Alma and other women activists of Foundation CURE. On the other hand, United Women activists saw justice as a utopistic project that cannot bring ultimate peace or justice. It seemed like a mission impossible to reach justice that will satisfy everyone and create conditions for leaving the evil past behind. One of the key reasons was that both organizations looked at justice through an ethnonational lens, even when they did not want to. We have seen that often recognition and representation had hidden ethnic lenses that even their peace-loving nature could not discredit. In terms of redistribution, justice initiatives had right citizenship logic, but it was almost mission impossible to achieve them because of ethnonational tensions on the top political level.

However, reconciliation and peacebuilding initiatives of women's NGOs had citizenship rights logic. When reconciliation was at stake, ethnicity did not matter, but the development of citizenship rights and the creation of a society in BiH that aims at equality. Nevertheless, justice and peace initiatives had one common thing - affirmative essentialism (Helms, 2003, 2010, 2013). In both cases, women activists were peace-loving characters who could forgive, nurture, and reach justice and peace. Patterns of injustice, peacebuilding, and reconciliation-related initiatives seemed clear throughout my fieldwork, but identity troubles would come when these two types of initiatives would go together. A form of confusion would be created for women activists. The leading question for the main characters of this thesis was whether ethnicity or citizenship rights would take supremacy, or affirmative essentialist role of a woman or to be specific which identity – citizens of BiH or Serb/Croat/Bosniak or peace-loving woman. In the following section, I will

reflect on one online event on justice and reconciliation organized by United Women, where Foundation CURE participated and where these issues came up.

Feeling Sick from Justice

"We are all feeling sick from justice (Muka nam je svima od pravde). We did not reach it and never will. We need to move on and think about the future of Bosnia and Herzegovina, and what can we do as citizens of this country to build peace." said Neda, as a Serb woman activist at the very beginning of this conference that had as the main topic political participation in developing justice and peace in BiH.⁶⁸ After a few of these sentences, Neda smoothly switched to the topic of reconciliation, where she argued that women in BiH have reconciled, created peace, trust, and forgiveness among themselves. However, she argued that BiH was still in conflict and that a lot of work needs to be done for each citizen to reach peace with the ethnic other and act as a citizen of BiH and not from their ethnic background. Neda was not the only speaker. Other participants had almost absolutely the same narrative. They all argued that they are fed up with justice and that people need to fight for their citizenship rights in BiH. "We need to claim our citizenship rights. We cannot expect the OHR or the government to resolve our problems. We all shape the future of BiH, and we need to start acting like that." said Dana Bosniak, activist of Foundation CURE. It was evident that citizenship rights and peace connected all women activists on this event, and for that reason, the discussion had to be focused on these aspects.

⁶⁸ The conference's name was "Political participation in Justice and Peace in BiH."

Even though this event had as the topic justice, it was almost not mentioned. This zoom conference was not the only case. Whenever reconciliation and justice would be combined in inter-ethnic encounters⁶⁹, reconciliation would take over the leadership. Overall, the strategic goal of these women activists was to reconcile and build BiH, where every person is an equal citizen regardless of ethnicity, gender, or any other aspect. In other words, justice did not serve the purpose or the ultimate goal these women had. The main reason was that justice had a different logic than reconciliation. When justice would be the focus, in my experience, and as seen in the previous chapters, it had an ethnic lens. Justice was ethnically based, and reconciliation citizenship was based. These initiatives did not have the same discourse. For that very reason, these two initiatives could not go together even though justice was essential for some women activists to reconcile with the ethnic other.

Ethnicity had supremacy as an identity in justice initiatives, and other identities had marginal meaning. It is important to emphasize that ethnicity was primarily seen as a “collective identity even though feminists main concern was on personal experience and perceptions” (Žarkov, p.13 2003). The ethnical background was defined with a collective memory that was produced through “an interplay between individual and groups” (Mijic, 2018, p141). Mijić, Žarkov, and other scholars have discussed collective memory that is created within ethnic groups. “Memory is not organized by the individual mind, but by shared cognitive structures, which Halbwachs refers to as “frames of memory”: “One may say that the individual remembers by placing himself in the perspective of the group, but one may also affirm that the memory of the group realizes and manifests itself in individual memories” (Halbwachs 1992: 40)” (Mijić, 2018, p.141-142). To put it in another way, each person has more than one memory that shapes them. However, women

⁶⁹ During my fieldwork, I only attended reconciliation and justice events that had activists of different ethnic backgrounds.

activists preferred to engage with more socially acceptable memory – the collective memory of victimhood of the group to which they belonged. Personal memories and individual perceptions of ethnicity women activists rarely shared because of an ongoing fear that this could lead to falling apart or being labeled as disloyal to own ethnic group. The fluidity of ethnicity, collective memory, or any other aspect was not considered when the question of justice would be imposed, as we have seen in previous chapters. For that very reason, justice had to be immediately silenced and switched towards reconciliation.

Reconciliation was focused almost exclusively on citizenship rights. This was the link that united all women activists. Feminist solidarity had its limits, as we have seen in the previous chapters. Ethnicity produced silence and risks of another conflict since it was seen on a collective level. However, citizenship rights were an impetus that was supposed to create the change. Dana's argument about citizenship rights and activism implied that women activists should see these rights as an agency or possibility to make the system that fits people who live in BiH. Dobrowolsky and Lister argue that citizenship both communicates and is communicated by the agency of those it influences and that this is not only implied to those who have legal citizenship (Dobrowolsky, A. & Lister, R., 2003). This perception of citizenship rights through agency and specifically of women activists could serve as a driving force for reconciliation or creating citizenship rights that fit people in BiH. However, the grounds or precondition for this to happen is to reach justice that is still ethnically read but as well politized by nationalist governmental representatives.

These two initiatives have different logic for women activists, and for that very reason, they can never truly go together. The disconnection of justice and reconciliation shows that there is still a slippery slope on a discourse of solidarity and peace among women activists, even though they

claim they have managed to forgive, trust, and support each other. Their collective memories of war and justice are still connected with ethnic background and not their citizenship rights.

Nada Golubović, a founder of United Women, said during one event, "Unfortunately, we have all participated in the war somehow. Whether we wanted or not, we were all part of it." These roles during the war stayed unsaid almost always. The individual perspective of war participation was rarely looked at but almost exclusively through a visible and invisible collective ethnic lens. The past they did not want to return to, but that kept haunting them is the link that these activists need to find if they're going to reach true reconciliation. By silencing justice for peace and reconciliation, they have managed to create some space to engage with ethnic others to claim rights and build allegiances. However, they have still not managed to gain the trust needed to deconstruct images imposed on them and accept each other as humans who have made mistakes and will probably make them more. They have all stayed morally pure actors in their overlaid ethnically divided but reconciled realms.

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