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UDK  
316.662-055.2(497.6)  
305-055.2(497.6)  
341.382(497.1)"1995"

## “SMALL POND FULL OF CROCODILES”: ELITE PERCEPTIONS OF THE IMPACT OF THE DAYTON PEACE AGREEMENT ON WOMEN’S POLITICAL ENGAGEMENT IN BOSNIA AND HERZEGOVINA

**ABSTRACT** The complicated political and institutional structure, which was put in place by the Dayton Peace Agreement (DPA), represents only one of several barriers to the political representation of women and their engagement in public life in Bosnia and Herzegovina. The status of women in public life in this post-conflict and post-socialist society is quite complex. To understand how the interaction between the institutions of the state and the position of women are perceived, the paper focuses on the narratives based on interviewing different categories of elite actors and their perceptions of the impact of the DPA on the political system in Bosnia and Herzegovina and the role of women within this system. The perceptions of interviewees are that the Constitution, being a peace agreement and also gender blind, has a negative impact not only on women but also on the society’s ability to grow politically. The paper also analyses interlocutors’ perceptions about the root causes for the fragmentation of the country’s political system and the variation in numbers of women represented at different levels of Government in Bosnia and Herzegovina, especially at the cantonal level.

**Keywords:** gender and consociationalism, The Dayton Peace Agreement, ethnic divisions, women’s role in the political system, women’s political representation, political elites, Bosnia and Herzegovina

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2 A colloquial saying (especially in the Balkans) which describes challenging circumstances for those who overestimate themselves or face pressure from other “players”.

## INTRODUCTION

After months of negotiations, the DPA (DPA) was signed in December 1995, putting a stop to a three-and-a-half-year war in Bosnia and Herzegovina (BiH), the war that became known worldwide for its extreme violence and the level of atrocities committed. This war left hundreds of thousands of people dead or injured and resulted in the largest exodus on European soil since World War II (WWII). During the war in Bosnia and Herzegovina, ethnic cleansing and rape camps were systematically used as a strategy of war. The signing of the DPA brought the hope of lasting peace and was described as the new 'social contract' (Bjorkdahl 2012), which was to set the standards for other post-conflict societies. It was also presented to bring the prospect of reconciliation and democracy to the war-ravaged society of Bosnia and Herzegovina (Kapic 2022).

Both scholars and practitioners of conflict resolution increasingly propose a consociational approach of power-sharing as a solution to conflicts based on ethno-national identity. This approach is based on accommodating groups in society by involving them in executive institutions, promoting proportionality in all segments of the public sector, granting groups autonomy, territorial or otherwise, and allowing them to exercise minority veto rights, meaning that consociationalism consists of participation and representation of all main groups in the governing process (McGarry and O'Leary 2007).

Although it is argued that these settlements give insufficient attention to the gender dynamics of conflict (Deiana 2016) and, as a result, limit political rights to women (Bjorkdahl 2012), proponents of consociationalism continue to view these institutional arrangements as successful in normative and strategic grounds for interrupting the violence and offering stability to societies affected by the legacy of conflict. Contrary to normative arguments about the necessity of mainstreaming gender in the theory and practice of peace-making and peacebuilding, consociationalists acknowledge gender blindness but do not perceive it as a problem (Kennedy et al. 2016). That is, they assume gender is a secondary issue to the conflict rather than intrinsic to the politics of ethno-nationalism and political violence. In response to their critics, McGarry and O'Leary argued that there was a lack of evidence

that consociationalism “promotes a superficial ethnonational politics at the expense of more popular questions of class or gender,” suggesting that if that was the case [if these issues were more popular], people would “vote for parties that put such questions at the top of their agenda?” (McGarry and O’Leary 2009, 82). Besides reiterating a gender-blind view of (post)conflict politics, this argument implies that different groups in a society can exercise their right to equal political representation through elections via the ballot box (Kennedy, Pierson and Thomson 2016). In consociational settings, however, representation provisions apply to the perceived ‘significant groups’ with the likely effect of further marginalizing ‘other’ social formations, most notably, women but also lesbian, gay, bisexual, transgender, queer/questioning and intersex (LGBTQI) communities, as well as members of other marginalized groups (Deiana 2018).

The DPA implemented a rigid form of corporate consociational model, creating an extraordinarily complicated and cumbersome institutional structure imposed on Bosnia and Herzegovina by the international community. This is because the priority was given to the short-term need to stop mass killings and ethnic cleansing and to find an acceptable solution to the highly complex relations between the three major ethno-national groups. Although the DPA was not proclaimed a success in Bosnia and Herzegovina, as none of the leaders of the ethno-national groups were completely satisfied with the settlement negotiated in Dayton, they all acknowledged its significance in ending the war (Kapić 2022).

To understand how the interaction between the institutions of Bosnia and Herzegovina and the position of women is perceived from within the state, this paper discusses the perceptions of a range of elite actors. The paper uses the primary research findings and discussions conducted during this author’s doctoral studies from 2017 to 2020. Six categories of elite actors were interviewed, including women politicians, men politicians, members of the governing bodies of political parties, representatives from the statutory agencies, representatives from civil society organizations, and representatives from the international community, which still has quite a strong presence in Bosnia and Herzegovina. This paper focuses on the narratives from interviews. It is divided into three sections. The first section considers the narratives about the DPA as the Constitution of Bosnia and Herzegov-

ina, the absence of women during the negotiations, as well as its complete gender blindness. Through interview analysis, the second part of the paper sheds light on the complexities and fragmentation of the political system created by the DPA and the links between this peace agreement and the political system and the political parties within this system and their outcomes for women. The third section studies the narratives that consider the differential representation of women at different levels of government in Bosnia and Herzegovina, especially at the cantonal level, and the interviewees' perceptions of root causes for such an occurrence (Kapić 2022). Zooming into the level of cantons is useful in examining how gendered processes are replicated in the country's political structures since cantons operate as important decision-making centers and components of the complex machinery of ethnic governance.

### **THE PEACE SETTLEMENT: THE COUNTRY'S CONSTITUTION**

The trajectory of political, economic, and administrative developments in post-Dayton Bosnia and Herzegovina has not been straightforward. According to Perry (2018, 110), it could be divided into three phases that have been shaped by both the depth and the form of engagement of the international community in this country. The first phase lasted from 1995 to 1997 when the memories of the war were still fresh, the role of the international community was not well defined, and political and policy progress was rather limited, as the main focus was maintaining peace and stability. The second phase, from 1998 through 2006, was a more aggressive international intervention period, constraining political ethno-national elites to accept reforms. During this time, the state-level institutions were strengthened as reforms were initiated, and as a result, there was a sense of a defrosting of the rigid ethno-national divisions. From 2007 onwards, the period has been characterized by a weak and often incoherent international approach to Bosnia and Herzegovina, failing to move beyond the status quo (cf. Perry 2019; Keil and Perry 2015). Some scholars argued that throughout this time, both the gender blindness of the DPA and the failure of the international bodies to address this adequately resulted in the disadvantaged position of women in the public sphere in Bosnia and Herzegovina (Kennedy et al.

2016; Deiana 2018). While the complicated and decentralized nature of the administrative and institutional structure of the country to some extent explains the difficulties and delays in implementing laws, the perception of the elites interviewed for this study argues that the ethnonational narratives created by the DPA that are pervasive in the public discourse in this polity are of vital importance in shaping the problematic situation regarding the political representation of women in this divided society (Kapić 2022). As one of the interviewees put it:

*The divisions created by the DPA, although they are supposed to be promoting equality of the three constituent peoples and others, they are actually putting nationality in front of equality. This gave constituent peoples priority in governing the state in different legislative and executive bodies, while citizens and others were pushed back and placed in secondary position (an interview with one of the state agencies' representatives held on the 17<sup>th</sup> of November, 2017).*

She further elaborated that under the current Constitution, even during elections, priority is always given to the 'constituent peoples' while no one talks about citizens as a general category or other potential categories, including women or 'others.' This was to be expected as it is "*the same political parties, which are the nationalist parties that were involved in the war, were also party to the peace negotiations and the consequent peace agreement.*" It is telling that this interlocutor also used the term 'gender blindness' when stating that "*Considering that the gender-blind DPA became practically our Constitution, there was no place for women in the political structures created in the aftermath*" (an interview with one of the state agencies' representatives held on the 17<sup>th</sup> of November, 2017).

Some of the interlocutors argued that a possible solution to the gender-blindness of the DPA and its lack of legal provisions for gender equality issues could be the use of international legislation, including anti-discrimination articles, and to build the 'gender mechanisms' into the institutional structures in Bosnia and Herzegovina. One of them suggested that the international documents, which are an integral part of the DPA, should be used to a greater extent as instruments by the state agencies concerned with gender equality issues. According to this interviewee, these instruments

were used when the state's gender equality mechanisms were set up to integrate different international gender equality standards. However, she also argued that this would be difficult to achieve as the current way the government is organized is not women-friendly. In her opinion, this is because the DPA did not contribute to the promotion of the role of women in any way, and even though the Constitution prohibits gender-based discrimination, it does not contain any provisions for equal opportunities that would give this prohibition practical effect (an interview with one of the state agencies' representatives (b) held on the 22<sup>nd</sup> of June, 2018).

The majority of interviewees perceived that the complicated institutional structure created by the DPA based on ethnic cleavages hinders the implementation of gender equality laws and regulations, including the ones that consider the issue of women's political representation.<sup>3</sup> As discussed elsewhere, Bosnia and Herzegovina is quite progressive regarding gender mainstreaming and the formal gender equality legislation that is part of international gender equality frameworks (Kapić 2022; Babic-Svetlin 2009). However, the peace settlement, coupled with a lack of political will of the ethnic elites, impedes the effective implementation of this framework. In the words of one of the participants, who is also among the leading gender experts in the country, *"the country's complicated government structure hinders the implementation of not only resolutions, laws and regulations which tackle issues of gender equality, but also it impacts all other issues"* (an interview with one of the state agencies' representatives (b) held on the 22<sup>nd</sup> of June, 2018). The institutional structure and divisions of powers between the national state level and the two entities with a high level of autonomy and where there is no clear subordination of the sub-national to the national level have a negative impact. In addition to this, while Republika Srpska is centralized, the Federation of Bosnia and Herzegovina (FBiH) is further divided into 10 cantons where individual cantons are not subordinate to the FBiH; this situation makes it very difficult to implement laws and regu-

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3 Interviews held at various times with different individuals throughout the research period: 10M held in 2017; 9V held in 2017; 18R held in 2017; 1O held in 2017; 14P held in 2017; 14D held in 2017; 6S held in 2017; 13H held in 2017; 13C held in 2107; 16P held in 2017; 18Z held in 2017; 28Z held in 2017; 1B held in 2017; 2C held in 2017; 1K held in 2018; 24H held in 2018.

lations (an interview with one of the state agencies' representatives (b) held on the 22<sup>nd</sup> of June, 2018). However, given the role of this interviewee in the promotion of gender equality and setting up gender equality mechanisms within the state, she also wanted to explain what she saw as some positive development. She reiterated the importance of keeping in mind that changes, including the goals of gender mainstreaming and gender equality, require a long-term effort in society and that:

*Although we cannot be completely satisfied with the situation, we must admit that much has changed positively. For example, today, not only gender mechanisms are talking about gender equality. This important issue is now present in culture, art, and public life in general. The media is inviting many NGOs to talk about gender equality, which shows the importance of this issue. This makes me really happy because we have practically passed this important topic on to other public actors. We have managed to push through gender mainstreaming even in such a complex situation our society is in (an interview with one of the state agencies' representatives (b) held on the 22<sup>nd</sup> of June, 2018).*

Another participant also emphasized the importance of using the Constitutional provisions, even if they do not directly guarantee women's equal participation in the public realm, to build much-needed gender equality mechanisms through which this issue should be addressed. He believes that although the political structure of Bosnia and Herzegovina does not look like it creates formal barriers based on gender, at the same time, it does not contain a mechanism that would allow women equal participation in political life, especially taking into consideration traditional society and gender stereotypes. Therefore, it is of crucial importance to build strong mechanisms for gender equality and use them to strengthen civil society that can improve gender equality in society (an interview with the representative of one of the state's Parliamentary Commissions held on 21<sup>st</sup> of December, 2017). His perception resonates with other respondents' opinions<sup>4</sup>, expressing a desire to move away from the consociational arrangement towards a more integrationist approach, which would reduce ethnopolitical

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4 Interviews held at various times with different individuals throughout the research period: 2C in 2017; 1K in 2018; 24H, in 2018.

and other divisions in society through integration at the civil society level and through political and administrative institutions that support these objectives, as suggested by some proponents of this approach (Aitken 2010; Howard 2012). On the other hand, his women colleague expressed a somewhat different opinion by stating that there is no simple way to address this question, primarily because the DPA was ‘a must’ to stop the war. In her view, this is the main purpose of the peace settlement (an interview with one of the state agencies’ representatives (c) held on the 29<sup>th</sup> of November, 2017). She also argued that as there were just three men representing the warring parties signing this agreement, with no women present there either at the signing of the DPA or during the negotiation processes, it is safe to say that the law representation of women in decision-making bodies is a result of the absence of women from the peace process. But, in her view, this does not mean that the DPA and the Constitution cannot be the basis for change as it criminalized intolerance of all kinds, including discrimination based on gender (an interview with one of the state agencies’ representatives (c) held on the 29<sup>th</sup> of November, 2017).

A young legal expert who was, at the time of the interview, actively working on the promotion of gender equality in Bosnia and Herzegovina said that, in his view, “*the absence of women during the peace negotiations contributed to the re-affirmation of the stereotype that it takes a man to be a leader*” (an interview with legal and gender expert held on the 18<sup>th</sup> of December, 2018). He believes that the DPA is one of many examples of when peace negotiations are gender-blind and that the different needs of women and men are not considered. There is a line of argument among the interviewees that the DPA, with all its gender-blindness, did create a constitutional framework in which it was possible to establish a gender equality infrastructure, even if that framework is not fully implemented. The most notable element of the DPA is the list of additional human rights agreements to be applied in Bosnia and Herzegovina, including the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). The inclusion of CEDAW was used in several policy interventions afterward, including the inclusion of gender quotas in the Election Law, the adoption of the Law on Gender Equality in Bosnia and Herzegovina, the adoption of the Gender Action Plans and UN Resolution 1325 National Action Plans (NAPs). One



interviewee explained why, in their view, there were not only no women but that all other groups, except for the representatives of the main ethnolnational groups, were absent from the peace negotiations:

*It is hard to imagine that gender equality, the participation of women, men, or any other group, was even discussed at the peace negotiations. As the emphasis of the negotiations was on the creation of power-sharing mechanisms for ethnic groups, the priority of each ethnic and political group was to nominate and delegate whom they perceived to be their best leaders. Stereotypically, those were all men (an interview with a legal and gender expert held on the 18<sup>th</sup> of December, 2018).*

Another criticism of the DPA and the Constitution of Bosnia and Herzegovina as its integral part is by many participants<sup>5</sup> related to the ethnolnational divisions built in the Constitution by using ethnic quotas as a guarantee for equal participation of the 'constituent peoples.' A young woman politician, one of the youngest vice presidents of one of the country's main political parties, gave her perception: *"I think that the DPA does not recognize women or citizens. It, unfortunately for us, only recognizes ethnic groups and ethnic quotas, and it is very difficult for women to break into these quotas"* (an interview with a woman politician, one of the youngest vice-presidents of one of the country's main political parties held on the 26<sup>th</sup> of September, 2017). She continued by saying that, even though Bosnia and Herzegovina is a signatory to all important international gender equality treaties and laws, this is not implemented in practice, which negatively impacts the society:

If you see our parliaments, all you can see are grey suits; we are a country of men, a patriarchal society, while the real heroines of the wars are rarely mentioned. Today, we honor heroes from WWII, but only men. In the middle of London, there is a monument to women who contributed to WWII, but we have nothing for our women.

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5 Interviews held at various times with different individuals throughout the research period: 24J in 2017; 14D in 2017; 29P in 2017; 29K in 2017; 24H in 2018; 1K in 2018.

The representative of the civil society group and an activist used even stronger words to describe the use of ethnic quotas and their impact on the electoral lists and gender quotas prescribed in the country's Gender Equality Law. The country's Constitution, created within the DPA, although it generally protects human rights and forbids discrimination, is not gender-sensitive, she states. This Constitution does not explicitly mention women and their rights, like constitutions of some other European countries, including the neighboring Croatia, which has integrated the protection of women's rights into their Constitution. On the one hand, the good thing is that Bosnia and Herzegovina has accepted all UN and international conventions regarding human rights protection, anti-discrimination, etc. Still, the difficulty is that very little is being implemented (an interview with the representative of the civil society sector held on the 24<sup>th</sup> of March, 2017). The relationship between ethnic and gender quotas and their mutual impact resonates strongly with every person interviewed for this study. The next part of this paper will discuss the relationship between these two quota forms within this complex consociational system.

## POST-DAYTON BOSNIA AND HERZEGOVINA: THE POLITICAL SYSTEM

The high fragmentation of both political and party systems in Bosnia and Herzegovina, coupled with a male-dominated culture in political party structures, represents one of the several barriers to women's political representation at all legislature levels. According to one of the women politicians, *'the fragmented political system and institutions created in Dayton are definitive barriers to women's becoming politically active.'*<sup>6</sup> She believes that *'such a complicated political system and complex and intricate Constitution are a root cause and the main barrier to the normal functioning of the state as well as the barrier for women's participation in the political arena.'*<sup>7</sup> The fragmentation of the political system also means that many small parties com-

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6 An interview with a women politician (a) held on the 21<sup>st</sup> of November, 2017.

7 An interview with a women politician (a) held on the 21<sup>st</sup> of November, 2017.

pete against each other, as well as against larger, more significant parties. Many smaller parties also mean shorter candidate lists, reducing chances for women to get on the lists.<sup>8</sup> An additional complication is the fact that Bosnia and Herzegovina have three different laws on political actors and three different standards for both establishment and registration of political parties, depending on the geo-administrative part of the country they are active in, namely The Federation of Bosnia and Herzegovina, Republika Srpska or Brcko District (Keil and Perry 2015). One of the interviewees shared her perception of this issue by stating:

*Firstly, the census is really small; we have too many political actors. Secondly, and without going into the culture of political parties, but just looking at it ex-lege, meaning what the Constitution allows, which is so many different levels of government and so many parties. This simply does not allow any room for women. What I want to say is when you have a large number of political parties, what usually happens is that only a small number of people from each party can be elected. We know what that really means – ‘small pond and a lot of crocodiles’, and these situations usually diminish the opportunities for women (an interview with one of the state agencies’ representatives (b) held on the 22<sup>nd</sup> of June, 2018).*

Another interlocutor agreed only partially with the above statement. In his view, the fragmentation of the political system and many political actors, considering that each candidate list must have at least 40% of both men and women, have a limited impact on women’s chances to get elected. According to this interviewee, it does impact the inclusion of candidates with capacities for change, and this also influences women. The fragmentation of the system results in the fact that political parties need to consider the geographical representation on their candidate lists, and women who are active in political parties can be left out to ensure that women who were perhaps not that active fill in the ethnic, gender, and geographical quota. This may not be primarily a gender issue, but it does create tensions in political

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<sup>8</sup> An interview with one of the state agencies’ representatives (b) held on the 22<sup>nd</sup> of June, 2018; an interview with legal and gender expert held on the 18<sup>th</sup> of December, 2018.

parties, especially amongst women candidates (an interview with one of the state agencies' representatives (b) held on the 22<sup>nd</sup> of June, 2018).

Several interviewees shared their views on the mutual impact of ethnic and gender quotas, how they are incorporated into the political and electoral systems, and how the relationship between these quotas directly influences women candidates. Most of them believed that changes in the electoral system could be a solution by either closing candidate lists or introducing reserved seats for women.<sup>9</sup> One of the respondents, referring to his own experience in working with gender mechanisms in Bosnia and Herzegovina as well as to his own research, gave a pragmatic view of how the design of the electoral system impacts the gender (dis)balance of the parliaments and the outcome of gender quotas. He believes that key variables of the electoral system design that impact the gender (dis)balance of the parliaments are: *“the type of the electoral system, the district magnitude, party magnitude, and the ballot structure.”* He elaborated further by saying that the electoral system of Bosnia and Herzegovina can be characterized as a medium fit system when it comes to the aim of increasing the participation of women: *“The quota applied has ensured that less represented sex [usually women], must be placed on the candidate list, it has a rank-ordering rule and a percentage which is now 40%.”* The quota also impacts political parties as they have to recruit more women and invest in their women candidates to develop their political capital. Critiquing the country's electoral system, he states:

*This is an excellent example of a functioning quota for the under-represented sex with all the necessary safeguards. However, the preferential system with small electoral districts [or a small number of seats available in these districts] is more likely to work for people on the top of the list [usually men] and not for candidates ranked below the first spot* (an interview with legal and gender expert held on the 18<sup>th</sup> of December, 2018).

Most interlocutors agree that gender quotas are affirmative measures in Bosnia and Herzegovina, even though the country's Gender Equality Law prescribes 40% of less-represented genders. The clause is, however, compul-

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9 Interviews held at various times with different individuals throughout the research period: 1K in 2018; 24H in 2018; 2S in 2017; M30 in 2017.

sory only on the party candidate lists. As a result, regardless of the high number of women at the stage of elections, the chances of women winning legislative seats are not that high. The respondents indicated the electoral system as a barrier to the political representation of women, including open party lists and the absence of reserve seats. The literature, as well as both women and men politicians interviewed, agree that a return to closed candidate lists would be better for women (Aganović, Miftari and Veličković 2015; Dahlerup 2006; Matland 2005), outlining the voters' lack of confidence in electing women candidates which, as they all agreed, stems from the traditional norms this society reverted to in the period of the war and in the post-conflict era.<sup>10</sup> These perceptions could be an indication of the importance of the role that political parties play in the process of electing women to the legislative bodies. One of the women politicians, the representative in one of the cantonal assemblies, commented on this issue, stating that there are currently "*only candidate lists quotas, but women only figure on them like 'ikebanas.'*"<sup>11</sup> She maintained that women are only put on the candidate lists because it is a legal requirement, stating, "*The only way we could change that is if we have reserved seats for women. In the same way, we have ethnic quotas, we should have quotas for women in both executive and legislative bodies*" (an interview with a woman politician (a) held on the 23<sup>rd</sup> of March, 2017). However, if there was a political will to increase the number of women in the legislature, there would have to be a change in the Election Law, which would prescribe reserved seats for women the same way there are existing seats for ethnic minorities. As one young feminist activist put it:

*We now have 40% and open lists, and they are not very effective, but on the other hand, if they did not exist, we would have much fewer women in politics. The only way I can see that would be more effective than the quotas we have today are reserved seats, the same way ethnic quotas are* (an interview with the representative of the civil society sector held on the 24<sup>th</sup> of March, 2017).

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10 Interviews held at various times with different individuals throughout the research period: 24J in 2017; 14D in 2017; 29P in 2017; 29K in 2017.

11 The Japanese art of flower arranging that emphasizes form and balance, a table centrepiece.

On the other hand, some interviewees did not perceive closed lists to be favorable to women candidates, arguing that open lists are not only more democratic but also decrease the possibility of “*manipulation by political parties,*” which was the main criticism of the closed lists voting system.<sup>12</sup> The interesting choice of words by some interviewees about the manipulation of the system by political parties, which was a common perception by the majority of participants, brings us back to the point discussed throughout this study about political parties being one of the main barriers to the political representation of women in a consociational, deeply divided society, such as Bosnia and Herzegovina. A body of literature on consociationalism and political parties emphasizes the importance of political parties in consociational, divided societies (Jarrett 2016; Mair 1997; Luther 1999). The ‘behavior’ of the political party elites in other consociational societies, even in so-called consociational democracies, could be compared in some ways to the behavior of ethno-national political elites in Bosnia and Herzegovina. It looks like it is a ‘common trait’ in these types of societies that political parties are the main connector between the masses and elites of the particular ethnonational group (Luther 1999), and with that, they are also the main player in a correlation between ethnic groups and other groups in society, including women.

Another respondent blamed the “*patriarchal political party cultures,*” which are “*ruling the political arena*” in Bosnia and Herzegovina. Most party leaders are men, while women, even at the top echelons of political parties, usually follow “*the male models of behavior,*” and even though there is a “*critical mass*” of women within political party structures, it is evident that the authority of the leader is still put before the group interest of women. Considering this, she was not certain how much women, members of political elites, would be even allowed to contribute to the stabilization, peace, and prosperity of society in Bosnia and Herzegovina. Considering that the country is ‘ruled’ by the peace agreement, based on mainly satisfying the ethnonational representation through ethnic quotas,

*if we could somehow replace ethnic quotas with gender quotas, I mean, even if we paid as much attention to gender equality as we do to equal ethnic repre-*

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12 Interviews held at various times with different individuals throughout the research period: 17Z in 2017; 13H in 2017.

*sensation, this would produce much better results and would act as massive support to women politicians in our country. Otherwise, any future progress under the DPA would be stalled (an interview with one of the state agencies' representatives (b) held on the 22<sup>nd</sup> of June, 2018).*

She also emphasized that the state agency she works with has made a considerable effort and worked with political parties to educate them about both Gender Equality Law and the importance of women's political participation. In her opinion, it worked a bit better as she puts it 'horizontally,' meaning at the state level, than 'vertically' at the sub-state levels, meaning that there are many obstacles to the political representation of women, the administrative divisions of the country, being the most important one.

## **WOMEN'S POLITICAL REPRESENTATION AT THE SUB-NATIONAL LEVEL IN BOSNIA AND HERZEGOVINA**

The Federation of Bosnia and Herzegovina organization into cantons brought in a fragmented administrative and territorial division structure, which impacted women's political representation in cantonal assemblies in different ways. Cantonal assembly elections between 1996 and 2018 show that the level of women's representation has varied markedly between the different cantons, with volatile changes from election to election in some cantons, making the underlying upward trend erratic. Even though the literature has demonstrated the existence of several factors influencing the political participation of women in Bosnia and Herzegovina (Helms 2007; Kapić 2021; Aganović, Miftari, and Veličković 2015), the analysis of interviews showed that there is a very strong relationship between women representation in cantonal assemblies and rural/urban divisions of cantons. One of the interviewees, a women politician and representative in the cantonal assembly, elected from a small, rural community, shared her experience of a woman politician in Post-Dayton Bosnia and Herzegovina:

*I have two things to say about this. First, it was very difficult to put me forward as a candidate in such a small rural community because people lack confidence in women, especially as representatives on a legislative level. The other reason*

*is that this is a patriarchal society. As well as that, I believe that men are afraid of women here, so they see us as a competition. It is difficult for women to win a place in the election. You almost must have a man lobbying for you, telling voters that you are a capable politician. I talk about my personal experience, I come from a small rural community. It is a bit easier in Sarajevo; it is a city, and therefore, it is easier for women (an interview with a woman politician (b) held on the 15<sup>th</sup> of March, 2017).*

While a man politician, a representative in the Parliament of the Federation of Bosnia and Herzegovina, on the other hand, described not only how he perceived the possibility given to women in rural areas to become politically active but also his perception of the reality of rural women in this country:

*You need to get into the spirit of rural areas of Bosnia and Herzegovina. In these areas, a woman is a housewife in the home. That is it! A woman is the pillar of the household, and she does not have time for politics. And if anyone is going to be involved in politics, that is a man who does not have even half as many obligations at home as a rural woman. The whole household is held by a woman. The woman wakes up and milks the cows, not a man. So, essentially, she has no time for politics (an interview with a male politician (a) held on the 24<sup>th</sup> of March, 2017).*

Although most of the interlocutors identified urban-rural divisions, as well as re-patriarchalisation of the country and the de-emancipation of women, several interviewees explained that some of the reasons for the lower levels of women representatives in more rural areas have a lower level of education, both formal and political. One young woman politician, who is also one of the youngest vice-presidents of her political party, stated that:

*At lower levels of government, I believe the number of women depends on parties and the level of education. If the areas are rural, people have other things to do and are not interested in politics (an interview with a woman politician, one of the youngest vice-presidents of one of the country's main political parties held on the 26<sup>th</sup> of September, 2017).*



One representative of the country's statutory agency agreed with this statement, stating that:

*...however, if we talk about the public sphere of women's engagement, the situation is much better in urban than rural areas, where women have lower levels of education and, therefore, they are less emancipated* (an interview with the representative of one of the state's Parliamentary Commissions held on the 21<sup>st</sup> of December, 2017).

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

*I believe that we need to educate and pay more attention to rural women and tell them why it is important to go out and vote and especially try to become politically active. We need to have gender education* (an interview with the representative of the civil society sector held on the 24<sup>th</sup> of March, 2017).

Apart from this, she defined another important factor that several other participants in this study also marked as one of the barriers to the political representation of women, particularly in rural areas, and that is the political apathy among rural women: *"...Also, there is some kind of political apathy, women say: why should I vote or get politically active, I cannot change anything. Whatever I say, it does not count"* (an interview with the representative of the civil society sector held on the 24<sup>th</sup> of March, 2017). The political apathy of women in Bosnia and Herzegovina is considered by women from civil society organizations as well as the representatives of the international community to be a result of the traditional norms and gender stereotypes which re-appeared strongly in post-Dayton Bosnia and Herzegovina.

Cantons are political and territorial units made up of the dominant ethno-national groups, common to other administrative structures based on consociationalism, leaving little space for other non-ethnic identities such as gender. In the decades after the signing of the agreement, the number of women at higher levels, particularly the state level, stayed the same or in-

creased slightly over time, while at the level of cantons, it did not show the same stability, as illustrated in Table 1.

	1996	1998	2000	2002	2006	2010	2014	2018	2022 <sup>13</sup>
<b>Parliament BiH<sup>14</sup></b>	2.4%	30.2%	7.1%	14.3%	14.3%	16.7%	23.8%	21.4%	16.7%
<b>Canton 1</b> (Una-Sana Canton)	8%	12%	16.7%	10%	16.7%	6.6%	6.6%	30%	33.3%
<b>Canton 2</b> (Posavina Canton)	10%	20%	14.3%	9.5%	9.5%	4.8%	19%	23.8%	23.8%
<b>Canton 3</b> (Tuzla Canton)	4%	18%	22.9%	17.1%	11.4%	17.1%	22.8%	40%	31.4%
<b>Canton 4</b> (Doboj-Zenica Canton)	10.1%	20%	28.6%	22.9%	20%	11.4%	20%	40%	56%
<b>Canton 5</b> (Gorazde Canton)	3.2%	35.5%	24%	34%	20%	20.4%	15.3%	28%	20%
<b>Canton 6</b> (Central Bosnia Canton)	9%	20%	10%	24%	20%	23.3%	16.6%	40%	43.3%
<b>Canton 7</b> (Neretva-Herzegovina Canton)	8%	16%	13.3%	26.7%	10%	16.6%	20.6%	46.7%	33.3%
<b>Canton 8</b> (West Herzegovina Canton)	3.2%	12.9%	17.4%	26%	8.5%	17.4%	22%	30.4%	21.7%
<b>Canton 9</b> (Sarajevo Canton)	11.1%	15.6%	28.6%	31.4%	22.9%	14.3%	20%	31.4%	34.3%
<b>Canton 10</b> (Livno Canton)	0%	23.3%	12%	20%	8%	8%	4%	12%	20%

**Table 1. Percentage of Women in National and Cantonal Legislatures in BiH**

(Source: Kapić 2021, 130)

Some respondents perceived this phenomenon as characteristic of post-Dayton Bosnia and Herzegovina, referring to its many societal and ethnic divisions relating to it as

13 Cf. Confirmed results of General elections in 2022 (Central Election Commission Bosnia and Herzegovina 2022).

14 House of Representatives of Bosnia and Herzegovina.

*our traditional society means that at lower levels, it is more difficult for women to be elected. I think that urban-rural divisions and economic development of the areas influence the number of women elected. We know that, for example, Livno Canton [Canton 10] is an economically underdeveloped area of the country and has almost no women elected in the Assembly (an interview with a woman politician (c) held on 23<sup>rd</sup> of November, 2017).*

Also, the cantonization of the Federation of Bosnia and Herzegovina was identified as the major root cause for the decentralization of this part of the country, which negatively impacted the political representation of women. A young party official explained the impact and complexity of this situation, saying that *"if you are a party, to motivate and get women activated, in urban areas you can go around constituency using a single tram ticket, while in rural areas, you have to travel for hours by car in order to get to people"* (an interview with a woman politician, one of the youngest vice-presidents of one of the country's main political parties held on the 26<sup>th</sup> of September, 2017).

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

*I believe that this is because the international community is monitoring the national level, and the numbers of women in the national parliament are under higher scrutiny, and that is why we have an increase of women there (an interview with a woman politician (a) held on the 23<sup>rd</sup> of March, 2017).*

According to the majority of interviewees,<sup>15</sup> the real power and financial incentives are at lower levels, and this is why the number of women representatives in these legislatures is lower. One of the statutory agencies' mem-

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15 Interviews held at various times with different individuals throughout the research period: 10M in 2017; 9V in 2017; 18R in 2017; 1O in 2017; 14P in 2017; 14D in 2017; 6S in 2017; 13H in 2017; 13C in 2107; 16P in 2017; 18Z in 2017; 28Z in 2017; 1B in 2017; 2C in 2017.

bers stated that, for her, the real money is much more concentrated at the local and lower levels of government. If men find some positions unattractive, they are leaving them to women. She believes also that this might be one of the reasons why there are more women at the state level, elaborating:

*You can see that we often have political blockades at the state level since we almost constantly have a blockade from Republika Srpska. On the other hand, the lower levels of government have no problems with passing laws and policies. Where we have more possibility for financial gains, we have more men involved* (an interview with one of the state agencies' representatives (b) held on the 28<sup>th</sup> of June, 2018).

Another respondent, the experienced woman politician who was delegated to the House of Peoples of Bosnia and Herzegovina, elaborated more on this point, including the “*spread of wealth*” and describing the lower levels of the legislature as places where “*the real-life happens*”:

*I think this is because it is more popular and more interesting, and life happens at the lower levels. All the most important decisions, corruption, and nepotism are there. When you analyze, the state level is the most transparent. We are always criticized and scrutinized; we are like ‘the good son.’ The international community knows that lower levels are corrupt and murky. That is just the way it is* (an interview with the representative of the civil society sector held on the 24<sup>th</sup> of March, 2017).

This statement is one for which it could be said that best describes the perceptions of both elite interviewees who took part in this study and the public in general. The literature, however, argues that political turmoil can sometimes bring positive transformation and gender change (Cockburn and Žarkov 2002; Enloe 2004). Some interlocutors believe that there is a “*light at the end of the tunnel, regardless of the presence of a myriad of problems*” (an interview with the representative of one of the state’s Parliamentary Commissions held on the 21<sup>st</sup> of December 2017). One of the respondents considered that all the aspects discussed in this paper so far have harmed women’s political representation in BiH. Still, on the other hand, he believes that even

these negative factors can act as a motivator for women to become politically active since by recognizing and campaigning for the "*real issues in their local communities, women can make strong cases for themselves to get elected*" (an interview with the representative of one of the state's Parliamentary Commissions held on the 21<sup>st</sup> of December 2017).

## CONCLUSION

Consociational peace agreements are used as the main tool in stopping intrastate, ethno-national conflicts (Aroussi and Vandeginste 2013; Bell 2010; Bogaards 2015; Lijphart 2004; Roeder and Rothchild 2005), establishing peaceful and democratic societies, but they do not give enough attention to the future peaceful evolution and development of the societies they are applied to. The DPA did not leave any space for movement or future negotiations about the shape of the state or the complexity of its institutions. Consociational models generally do not provide plans for further development, which has been the major criticism of this type of agreement (Horowitz 2002a; Horowitz 2002b; Howard 2012; Aitken 2010).

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

Most of the interlocutors commented on the mutual impact of the ethnic quotas prescribed by the DPA and gender quotas, which were introduced in the election process at the candidate lists level, as an affirmative measure to increase the numbers of women in legislative bodies. They perceived the implementation of gender quotas to be slow and ineffective in that they were resisted and undermined by political elites. The cantons are an obvious and real representation of the ethnic structure of local communities, and the view of the interviewees is that at this level, the impact of traditional gender

values and stereotypical roles for men and women, especially in rural and poor areas present a major barrier to women's political engagement. This can be seen in the low level of women's representation in cantonal assemblies for most of the post-war period and their shallow level of local leadership roles.

The sole focus on ethno-national narratives in the current political environment adds to the marginalization of the issue of gender equality. It impedes the development of serious strategies and policies aimed at addressing the real concerns related to the position of women in the country's political and public arenas. However, it also goes further than this as the views of these elite groups are very focused that the DPA and its institutions are the root problem that has allowed the other barriers to women's advancement to go unchecked. This, coupled with how the DPA is implemented and its permanent use by the ethno-national political elites as a tool for their continuous battles, should be considered valuable lessons learned to bring to the negotiating table of future peace agreements that stem from the same theoretical framework.

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Received/Priljeno: August 30, 2023

Changed/Izmenjeno: November 23, 2023

Accepted/Prihvaćeno: November 28, 2023

## ‘Mala bara puna krokodila’: percepcije elita o uticaju Dejtonskog mirovnog sporazuma na politički angažman žena u Bosni i Hercegovini

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**Sažetak:** Komplikovana politička i institucionalna struktura, koja je uspostavljena Dejtonskim mirovnim sporazumom (DPS), predstavlja samo jednu od nekoliko prepreka za zastupljenost žena u politici i njihov angažman u javnom životu u Bosni i Hercegovini. Položaj žena u javnom životu u ovom postkonfliktnom i postsocijalističkom društvu je prilično složen. Kako bi se razumelo kako se percipira interakcija između institucija države i položaja žena, ovaj rad se fokusira na narative zasnovane na intervjuisanju različitih kategorija političkih elita i njihovih percepcija o uticaju DPS-a na politički sistem u Bosni i Hercegovini, kao i na ulogu žena u ovom sistemu. Percepcije ispitanica i ispitanika su da mirovni sporazum koji je i rodno slep, ima negativan uticaj ne samo na žene već i na sposobnost društva da se politički razvija. U radu se analiziraju i percepcije sagovornika o osnovnim uzrocima fragmentacije političkog sistema u zemlji i varijacijama u broju žena zastupljenih na različitim nivoima vlasti u Bosni i Hercegovini, posebno na nivou kantona.

**Ključne reči:** rod i konsocijacija, Dejtonski mirovni sporazum, etničke podjele, uloga žena u političkom sistemu u BiH, zastupljenost žena u politici, političke elite