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The Importance of Education Systems in Post-Conflict Settings: The Case of Bosnia-Herzegovina (BiH)

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List of Acronyms

BCPR	Bureau for Crisis Prevention and Recovery
BHMAC	Bosnia Herzegovina Mine Action Center
BiH	Bosnia - Herzegovina (Bosnia i Hercegovina)
CoE	Council of Europe
DDR	Disarmament, Demobilization and Reintegration
DPA	Dayton Peace Accords
DPKO	UN Department of Peacekeeping Operations
EBRD	European Bank for Reconstruction and Development
EC	European Commission
EUFOR	European Union Force
FBiH	Federation of Bosnia-Herzegovina
GDP	Gross Domestic Product
GFAP	General Framework Agreement for Peace
ICMP	International Commission for Mission Persons
ICRC	International Committee of the Red Cross
ICTY	International Criminal Tribunal for the Former Yugoslavia
IDP	Internally Displaced Person
IFOR	Implementation Force
IMF	International Monetary Fund
IPTF	International Police Task Force
NATO	North Atlantic Treaty Organisation
NGO	Non-Governmental Organisation
NI	Northern Ireland
OCHA	Office for the Coordination for Humanitarian Affairs
OHR	Office of the High Representative
OSCE	Organisation for Security and Co-operation in Europe
OSF	Open Society Fund
PCNA	Post-Conflict Needs Assessment
PIC	Peace Implementation Council
RS	Repiublika Srpska
SFOR	Stabilization Force
SHL	Schueler Helfen Leben
TRC	Truth and Reconciliation Commission
UNDG	United Nations Development Group
UNDP	United Nations Development Programme
UNDPA	United Nations Department of Political Affairs
UNHCHR	United Nations High Commissioner for Human Rights
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNTAES	United Nations Transitional Administration of Eastern Slavonia
WB	World Bank

The Importance of Education Systems in Post-Conflict Settings:
The Case of Bosnia-Herzegovina (BiH)
By Emily Coles[1]

Abstract

This paper considers how education systems in post-conflict settings impact reconstruction processes using the case of Bosnia-Herzegovina (BiH) as an example. Three separate literatures are reviewed: post-conflict settings/reconstruction, reconciliation, and education systems. The paper analyzes the transitions, security, political, social and economic, which characterize post-conflict settings and reconstruction and argues that they must occur consequentially. Additionally, post-conflict reconstruction must always include both short and long-term goals in the peace agreement and provide for development of local capacity. In BiH these transitions were incomplete. The placement of a constitution in the peace agreement, without provisions for its revision, has also led to political gridlock. Reconciliation is then discussed as a central component of reconstruction. In the case of BiH, even though it has been 15 years since the conflict, reconciliation has not occurred and the society remains polarized according to the three ethnicities. The role of the International Criminal Tribunal for the Former Yugoslavia (ICTY) in promoting reconciliation is criticized and indicators of the continued presence of ethnic tensions are reviewed. Lastly, the role of education systems in post-conflict reconstruction is discussed. Because education can play a critical role in reconciliation, and in reconstruction, education should be mandated in any peace agreement. Since education was not considered in the Dayton Peace Accords, the education system in BiH remains divided and this is impeding reconciliation. It is argued that, if education is not emphasized as a key component in peace agreements, then divided education systems will continue to prevent successful reconciliation, which in turn hinders the long-term success of reconstruction efforts.

I. Introduction

"Honestly, right now the bigger problem would be that in certain areas all students go together to school, because even today there is hatred between Bosniacs, Croats, and Serbs ... While that hatred exists, I think that it is better that schools be segregated, because only bigger problems will arise ... When the hatred disappears, and I hope that that will happen soon, then all of us will be able to be under the same roof and enjoy a mutual life. Or maybe we'll go for all or nothing and say that everyone goes to the same school and hopefully after a short period of time we will make friends and realize that we are all humans and not animals!"

- Anonymous[2] Bosnian High School Student

a. Background

Bosnia-Herzegovina (BiH) experienced a bloody civil war from 1992-1995. Ethnic cleansing occurred across the country as each of the three ethnic groups, Bosnian Serbs, Bosniacs, and Bosnian Croats, sought to gain control over regions of the country. The ethnic cleansing campaign was initiated by the former President of Serbia, Slobodan Milosevic, and subsequently carried out in BiH by Radovan Karadzic, former President of the self-proclaimed Serb Republic, and Ratko Mladic, leader of the Bosnian Serb army. However, all ethnic groups were complicit in committing war crimes. This is one of the reasons the war is often cited as the one of the most complicated in history. In 2007, the death toll was estimated to have been 97,207. This number has continued to increase as newly discovered graves have been exhumed. The death toll is just one component of the price paid by this country and its citizens. Displacement of over 2.2 million persons was a key method of ethnic cleansing in addition to the brutal raping of many women, which was later deemed to constitute a war crime according to international law. The war left a lasting mark on the citizens and the infrastructure of the country. While efforts were taken to move BiH forward to a prosperous future, this process has been lengthy and marked with several failures.

The author chose the subject of this honors research thesis after hearing stories from several Bosnian students in the summer of 2010. A high school student described a soccer match in which a friend came to him and said that he could no longer stay on the field. Pointing to a player on the other team, his friend said: "You see that kid over there? His father killed my father during the war." The student could not handle being on the field and decided to leave. He was attending a 'two schools under one roof' system, where students are segregated according to

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[2] The identity of this student has been concealed.

their ethnicity. Given this kind of situation, the question becomes how can ethnic and religious divisions so colored by emotions be broken down? Additionally, how can education be a tool to promote inter-generational reconciliation? While the role of education in influencing attitudes of students may be poorly understood, it is possible that the segregated school system produces students who not only have no memory of the past, but also grow up to use force to secure political goals.[3] Insufficient attention has been given to the roles of education and reconciliation, and their inter-relationship, in post-conflict reconstruction processes. As a result, there are generations of students who hold the same prejudices as their parents even though they themselves did not directly experience the war. The author has sought to understand this and other components to BiH's post-conflict reconstruction process.

b. Executive Summary

This paper constructs a model for the role of education in promoting successful reconstruction in post-conflict settings. It explores three topics and then applies each to the case of BiH, concluding with a model, which explains how the education system is key to successful reconstruction. The model is also used to characterize the current situation in BiH. Using the analysis of the different causes for conflict described by Smith, and Weinstein and Harvey, the paper considers the range of post-conflict settings. Menkhaus argues that there is no universal template for post-conflict settings, but that one can find some common characteristics. The article by Brown, Langer and Stewart and the book by Wolff describe these characteristics. Davies has found that post-conflict settings can be defined according to phases and transitions. In this paper, the UNDP Report and the UNDP, UNDG and WB Practical Guide to post-conflict settings were used to define four of these transitions as these organizations typically play an active role in post-conflict reconstruction.

Wolff considers the defining characteristics of a successful post-conflict reconstruction process. According to del Castillo, this is accomplished according to four transitions: security, political, social and economic. The paper argues that these transitions are consequential rather than sequential; that is, each transition can affect and be affected by every other transition.

Del Castillo considers UN mandated reconstruction and places the peace agreement as the most important tool for determining how the reconstruction process will proceed. In

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[3] This conclusion was based on an interview with a leading education official at an NGO in BiH on 1/27/11.

particular, the peace agreement must contain both short-term and long-term goals for reconstruction. For example while a temporary constitution may be needed in the immediate aftermath of the conflict, consideration for a permanent constitution must be included in the initial planning. Wolff describes the risk involved when the capacity of the local population is not developed and when long-term goals are not acknowledged at the beginning of the reconstruction process.

The paper then applies these ideas to the case of BiH by analyzing the Dayton Peace Accords (DPA).[4] After reviewing each component of the accords, the paper discusses the successes and failures of the peace agreement. Simonsen and Aitken show how the characterization of the conflict as an ethnic civil war increased the political salience of ethnicity. Thus, according to Torsti, Zagar, and Aitken, wartime divisions were institutionalized through the DPA. Furthermore, the DPA did not plan for constitutional reform after the country had been stabilized. The paper concludes that the DPA failed to promote successful reconstruction because it did not develop local capacity nor did it consider long-term goals in the short-term.

The paper then addresses the broad subject of reconciliation and its relationship to reconstruction, using the definition of reconciliation provided by Magill, Smith and Hamber. Weinstein and Stover analyze the effectiveness of truth and reconciliation commissions (TRCs) and international courts as mechanisms to promote reconciliation. The relationship between reconciliation and other reconstruction processes is then considered.

The state of reconciliation in BiH is then reviewed beginning with an analysis of the role of the International Criminal Tribunal for the Former Yugoslavia (ICTY). The international community implemented the ICTY as a mechanism to promote reconciliation. Various sources are cited that emphasize that the ICTY was distanced from the local community and thus did not promote local reconciliation. The ICTY also missed a critical opportunity to bring reconciliation to the families of victims by ignoring the importance of individual identification in the exhumation process. Furthermore, Clark claims that the ICTY was not universally accepted and thus failed to promote reconciliation. The paper then analyzes key indicators in BiH that show an absence of reconciliation.

The last broad analysis concerns the question of the impact of education on reconciliation and reconstruction. As Perry argues, early socialization experiences are important to the

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[4] The formal title of the DPA is the General Framework Agreement for Peace (GFAP).

formation of ethnic attitudes. Nikolai and Dupuy highlight the importance of addressing education systems in peace agreements and Trnavcevic suggests that education can actually contribute to several critical reconstruction processes. To summarize, the paper refers to Perry's characterization of the role of education in post-conflict settings and then argues that education impacts economic recovery, development of civil society and the reduction of ethnic tensions.

To support the claim that education can play a key role in shaping reconciliation, the paper analyzes the education system in post-conflict Northern Ireland (NI). Hayes and McAllister, and Gallagher, all point out that reform of the education system in NI was specifically designed to address reconciliation in the aftermath of the war. Bozic suggests that continued segregation in schools can reinforce ethnic tensions and Gallagher concludes that this has perpetuated divisions. Finally, Hayes and McAllister propose that education should be a key element to breaking down community divisions in post-conflict societies.

The paper then analyzes the education sector in BiH by using ideas presented by Bozic, Chivvis and Dogo, Torsti, Perry, OSCE, and Kreso. Several other aspects of the education sector are examined: its history, how the DPA incorporated education, the international community's involvement in the sector, and indicators of segregation and division. Lastly, the obstacles to integrated education and educational reform are assessed.

The failure of the DPA to provide long-term plans for the education system, and the continued existence of segregated and divided schools in BiH has contributed to the failure of reconciliation and, in turn, to the failure of the reconstruction process. The paper concludes with some suggestions for the future.

II. Post-Conflict Settings and Reconstruction

This section reviews the characteristics of post-conflict settings. The way in which reconstruction takes place within these types of settings is then discussed. The discussion ends with the conclusion that post-conflict reconstruction takes place in a number of phases and transitions that occur consequentially. It is argued that the success of post-conflict reconstruction

depends on the combination of short-term goals with a long-term plan in addition to addressing the relationship between the international community[5] and the development of local capacity.

a. Post-Conflict Settings

The causes for the conflict, the duration of the conflict and the parties involved, make each post-conflict setting unique. According to Smith, there are political, economic and socio-cultural explanations for why conflict occurs (20). Political explanations deal with the conflict between political ideologies for power. Conflict can also arise because of poverty or because of the struggle for economic control, i.e. resource wars. Lastly, socio-cultural factors can lead to conflict. In the case of ethnic conflict, Kaufman argues that "myths that justify war, fear of annihilation, and opportunity for action" all serve as a catalyst for conflict (qtd. in Weinstein and Harvey 16).

For these reasons, it is difficult to characterize a "typical" post-conflict setting according to its cause. The term itself is controversial. It is challenging to distinguish between conflict and post-conflict settings because they do not have strict definitions but rather are defined according to 'phases and transitions' (Davies 230). Additionally, there is no 'one size fits all' approach to post-conflict settings (Brown, Langer and Stewart 3). As Menkhaus has argued, "there is a near–universal consensus that post-conflict situations vary too much to permit a pre-determined, fixed 'template' for evaluation" (10). However, it is still possible to make comparisons and generalizations. For example, Wolff claims that all immediate post-conflict settings are marked with a "lack of functioning or legitimate political institutions, weak economic performance, non-existent or polarized structures of civil society, and antagonized elites" (Wolff 158). Brown, Langer and Stewart expand on this generalization by framing post-conflict settings according to various characteristics: (1) human resources are low, as the educated populations tend to flee during the conflict; (2) social expenditures have also been disrupted; (3) with no tax revenue, states rely heavily on international donations to support the recovery; (4) populations have typically suffered psychological trauma that impacts recovery; (5) there can also be physical damage to the population including disability and death by landmines; (6) infectious disease is

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[5] The term 'international community' will refer to different agencies depending on particular situations. However, in general, it refers to organizations and individual states involved in the reconstruction process. These typically include UN organizations, International Organizations, Non-Governmental Organizations (NGOs), and individual states.

often rampant; (7) unemployment is also common; and (8) all of these impact the likelihood for conflict to return (4-6).

As noted above, post-conflict settings can be defined according to phases and transitions (Davies 230). There are several markers that show progress, or the lack thereof, towards recovery from a devastating civil war. One marker is the signing of a peace agreement. According to Wolff, peace agreements "do not resolve conflicts – at best they provide a framework in which conflicting goals can be accommodated and pursued by means other than political violence" (Wolff 155). Founded on the idea of compromise, peace agreements strive to set the tone for warring parties to cooperate. More immediately, however, peace agreements end the violence. Other transition milestones are demobilization, disarmament and reintegration (DDR) programs, refugee repatriation, establishing a functioning state, achieving reconciliation and societal integration, and economic recovery (Brown, Langer and Stewart 5). This is the ideal post-conflict progression, one that is seldom realized in its entirety. It is important to emphasize that these transitions are not sequential processes but rather consequential. This means that they can occur simultaneously and affect each other during post-conflict reconstruction.

The UNDP has defined four transition periods that characterize this progression, the first of which is 'early recovery'. According to an UNDP policy paper, "early recovery is the interface at which humanitarian, development and, possible peacekeeping partners co-exist and interact" (5). This is the place where planning the transition from relief based assistance to long-term recovery takes place. While the two processes, humanitarian relief, that is securing basic necessities, and long-term assistance programs may overlap, it is important that there is a long-term reconstruction plan. According to UNDP, the role of the international community in early recovery is as follows: strengthening post-crisis governance by increasing local capacity, facilitating effective local level recovery by tailoring to the unique situation, and creating a coordinating body to assist with early assessment, analysis and coordination. It is here, during 'early recovery,' where individuals affected by war start to look for ways to rebuild their lives. Therefore, it is imperative that long-term planning begins here, immediately after the conflict has ended. As stated in the report, "from the outset it is vital to support, sustain, and begin to rebuild the essential national and local capacities necessary for longer-term success" (UNDP 7).

The 'early recovery' programs are foundational in nature (UNDP 32). This means they create stability and build capacity so that future recovery programs focusing more on social,

political and economic factors can be realized. If executed properly, this phase also contributes to the reduction in the risk of the state returning to conflict by establishing trust in, and ownership of, the peace process (UNDP 13).

The Post-Conflict Needs Assessment (PCNA) initiative describes the remaining three phases. This document was co-authored by the UN Development Programme (UNDP), the World Bank (WB), and the UN Development Group (UNDG), agencies that have played key roles in post-conflict settings. The first of these is the 'stabilization/transition phase' which is marked by establishing security, political and macroeconomic frameworks, consolidation of a civil service, restoration of central infrastructure and services, meeting humanitarian needs, return of refugees and internally displaced persons (IDPs), and trust building between former conflicting parties (UNDP, UNDG and WB 6). This phase is supposed to last for the first 12 months after the signing of a peace agreement. The second phase is described as 'transformation/institution building'. It includes political, economic, judicial, and security sector reforms, institution capacity building, DDR, restoration of important infrastructure and productive capacities, extension of essential services, social safety nets, food security, continued return of refugees/internally displaced persons (IDPs), and reconciliation (UNDP, UNDG and WB 6). This phase is supposed to last for 12 to 36 months. The last phase is the 'consolidation' phase that focuses on continuation and deepening of reform processes, institution capacity building, extension of infrastructure and services, reconciliation, and inclusive policies (UNDP, UNDG and WB 6). This period typically lasts for the first decade after the end of conflict.

To summarize, post-conflict settings are complex but they do share a number of common characteristics. These characteristics can be described in terms of phases and transitions that provide the framework within which post-conflict reconstruction occurs.

b. Post-Conflict Reconstruction

Post-conflict reconstruction refers to the processes that characterize the various transitions in the post-conflict setting described in the previous section. According to Wolff, the primary goals of post-conflict reconstruction[6] are "building acceptable, accountable, and

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[6] Throughout this paper, the term 'reconstruction' will be used although the term has been criticized because it suggests "a return to the status quo ante" (Barakat and Zyck 1072). The use of the term 'reconstruction' in this paper should not be taken to imply such a return. Instead, 'reconstruction' should suggest the constructing, building, and developing of institutions in the new post-conflict setting.

transparent institutions, to generate self-sustaining economic growth, and to create a civil society with free and independent media, civil organizations, and a general climate in which people once again begin to trust each other, and are reconciled with their troubled past and willing to live together peacefully" (Wolff 157). More broadly, security must be safeguarded, the duration and long-term commitment of international support must be considered and the capacity of the state to carry out reforms must be proved. While international intervention may be necessary in the short-term, particularly if the international community brokered the peace agreement, plans for local ownership of the process should be encouraged at all times and local capacity should be developed slowly over the course of the process. Otherwise the international community is looking at indefinite involvement in the country or, if they withdraw, there is the danger of a return to violence.

The main goal for reconstruction is to combine the satisfaction of short-term needs with plans for long-term development, especially the development of local capacity. While stabilizing institutions is key, how this is accomplished lays the groundwork for the long-term efforts to ultimately rebuild the society. The key to post-conflict reconstruction lies both in the relationship between the international community and the actors involved in the conflict, and, in this connection, between short-term and long-term goals. In particular, the international community must not take control of reconstruction in such a way as to inhibit the development of local capacity. Furthermore, short-term goals, often decided and carried out by international actors, need to have long-term goals in mind. The risk of unsuccessful reconstruction is the parties' relapse into conflict; over half of all civil wars are due to post-conflict relapses (Collier, Hoefler, and Soderbom, "Post-Conflict Risks" 462). This is likely to occur when consideration has not been given to the long-term prospects for the country's development.

i. What needs to be rebuilt
Conflicts typically either destroy or, at least affect all components to a society. So, in a sense everything needs to be rebuilt. As noted earlier, the rebuilding process occurs in transitions and phases. Del Castillo has defined four key 'transition' categories in post-conflict reconstruction that relate to the transition periods that define post-conflict settings as reviewed above. These are: security, political, social and economic (16-20). While these transitions are discussed sequentially, it should be emphasized that they are mutually dependent.

The security transition has two components: 'freedom from want' and 'freedom from fear' (Krause and Jutersonke 457). The first component addresses the satisfaction of basic human needs in economic, health, food, social, and environmental terms. The second component concerns the removal of the use or threat of violence from daily life. Wolff expands this category to include removing the potential for violence to re-emerge (175). Programs that address the issue of security can also involve socioeconomic activities such as emergency humanitarian assistance, demobilizing combatants, unification of armed forces, training civilian police forces, monitoring and promoting human rights, overseeing judicial reforms, electoral assistance and monitoring, and removal of unexploded ordinance (del Castillo 16-18).

Emphasis should be given to the security transition since several other components to the reconstruction process depend on this transition. Lack of physical security impacts donor behavior and foreign direct investment both of which have implications for economic development (Brown, Langer and Stewart 22). As Krause and Jutersonke note, ensuring basic security is also a precursor to political and social development (455).

The second transition is political. In the immediate aftermath of the conflict, some form of temporary or emergency government must be created. Such a government must be guided by a temporary constitution whose form is defined by the peace agreement. However, there is a danger that the inclusion of a constitution in the peace agreement will lead to it becoming permanent. The danger is especially problematic if it makes concessions due to the post-conflict setting. Therefore, it is proposed that a temporary constitution be included in the peace agreement but that the peace agreement also includes a specific timeline for the development of a new constitution. The political transition also encourages new national authorities to emerge to develop inclusive political representation characterized by multiparty systems secured by a strong rule of law. As stated by Krause and Jutersonke, this often requires redefining political competition (449). Political institutions often must transform from an exclusive system to an inclusive, non-elitist system. This transition also requires that these new authorities begin the long-term goal of institution building. This means (re) building of civil society institutions; that is, "voluntary civic associations that operate between the state and the family" (Davies 232). In order for governments to secure legitimacy, local support often represented by civil society institutions, must be secured. It is important to note that the political transition can affect security. If the population believes in the legitimacy of its government then conflict is less likely to break

out. The political transition is also important for creating conditions for economic and social development, that is, it impacts other transitions (Krause and Jutersonke 448).

The third transition is societal. Here, warring parties are encouraged to reconcile in an effort to break down the cleavages that may have fueled the conflict in the first place. Formal or informal reconciliation processes may occur here. Projects within this transition can also include assisting in the creation of organizations characteristic of a civil society and appointing a national ombudsperson to address human rights grievances. The societal transition can be very personal. Many people have to deal with psychological or physical trauma. Thus, this process can involve therapy and rehabilitation**.** If reconciliation occurs, this will strengthen security. It will also affect political stability and economic prosperity.

The last transition has economic prosperity as its goal. During the entire reconstruction process, economic development must be emphasized. Post-conflict economic reconstruction "includes not only rehabilitation of basic services and rebuilding of physical and human infrastructure but also the stabilization and structural reform policies as well as the microeconomic foundations required to create a market economy and reactivate investment and broad-based economic growth" (del Castillo 29). On a more basic level, if individuals feel that times of conflict are economically beneficial, then there is no incentive for them to become active participants in the reconstruction process. Additionally, if unemployment and poverty are high, it is less likely that the rebuilding of institutions will be successful. Low economic development also affects the probability of return of IDPs and refugees that is itself important for economic development. Employment programs give people a sense of local ownership in the reconstruction process. However, it is important that these programs and vocational training are in line with the demands of the labor market.

Given the typology described above, it is clear that reconstruction should be attempted consequentially. Sarason and Kelly argue that "strategic interventions or planned change in any one part of a system affect all parts in reverberating pathways" (qtd in Weinstein and Stover 18). If considered consequentially, it is easier to combine both the short-term and long-term goals of reconstruction. While stabilization is necessary for long-term development to proceed, there is a reciprocal relationship between the two, such that long-term development can strengthen stabilization. The chance that long-term development will be addressed is significantly increased if long-term provisions are given a place in the short-term. If any transitions are absent from, or

incorrectly applied to, the process of reconstruction, there is the risk that the other transitions will not be successful. In particular there is the risk that there will be low economic development, high unemployment, potential for relapse into conflict, generational ethnic division, lack of reconciliation, and weak political institutions, all of which hinder successful reconstruction. If post-conflict societies want to move beyond these problems, then all transitions must be considered and the potential impact of each on the others must be acknowledged. Also, the short-term and long-term goals to reconstruction must be considered when action is taken to implement the transitions. This means that consideration of the future impact of short-term goals on long-term development must be taken into account.

To summarize, post-conflict reconstruction encompasses a wide variety of activities: "infrastructure, rehabilitation, governance, economic development, demilitarization, security sector reform, public administration reform, refugee resettlement, peace building, women's empowerment, health, education and many others" (Barakat and Zyck 1071). The roles of reconciliation and education, as key components to the reconstruction process, will be considered later in the paper.

ii. Who is in charge of rebuilding?
The actors in charge of rebuilding are largely determined by the peace agreement. As Wolff argues, the success of post-conflict reconstruction depends on the 'suitability' of the agreement and its relation to a larger planning framework for the development of sustainable peace (175). This means allocating responsibilities to all parties involved in reconstruction efforts. Once a peace agreement has been signed, the international community participates accordingly. The way in which reconstruction will evolve depends on whether a mandate is given to international organizations such as the UN or to local actors (del Castillo 12). According to del Castillo, outside institutions should not lead reconstruction efforts if peace is meant to be long lasting. The UN typically has the mandate and impartiality to integrate "the many political, humanitarian, military and socioeconomic activities" (del Castillo 45). Nonetheless, peace and growth are ultimately dependent on post-conflict societies themselves (Elbadawi 5). This is why a strong civil society is necessary for successful reconstruction. Once civil society develops there can be more local agency to support reconstruction efforts, including institution building.

One of the most important components to the reconstruction process is the coordination between international and local actors. There also needs to be coordination among the

international agencies working in the region. These typically include the Office for the Coordination of Humanitarian Affairs (OCHA), the UN Development Program (UNDP), the Bureau for Crisis Prevention and Recovery (BCPR), the UN Department of Political Affairs (UNDPA), UN Department of Peacekeeping Operations (DPKO), and the International Red Cross and Red Crescent (ICRC), to name a few. The largest dilemma faced by the international community when intervening in the aftermath of war is deciding their long-term projection and the desired level of community involvement. While the international community would be more successful in the short-term if they brought in outside expertise and conducted the necessary reforms on their own, this would jeopardize the long-term success of the reconstruction process (Wolff 162). This implies that the long-term success of the reconstruction process is dependent on the development of local capacity rather than international involvement.

As Barakat and Zyck have argued, there has been 'mission creep' in the field of post-conflict reconstruction (1071); that is, different agencies have become increasingly involved in activities that were not specified by their original mandate. This makes coordination among agencies even more challenging. In part this 'mission creep' can be seen as a response to 'conflict creep'. The changing nature of conflicts, particularly in the past twenty years, has led to changes to the way organizations address post-conflict reconstruction.

International involvement can also include financial aid. Post-conflict societies must rely on bilateral and multilateral support in the form of humanitarian assistance and reconstruction aid. Humanitarian assistance provides the minimum necessary to alleviate the humanitarian disaster, whereas reconstruction aid helps with the "rehabilitation of basic infrastructure and services to improve security and law enforcement, as well as to implement other measures aimed at strengthening the country's institutional framework" (del Castillo 81). While humanitarian aid tends to flow due in part to the 'CNN Effect', it takes more effort to secure funding for the long-term reconstruction process even though reconstruction aid is less costly than humanitarian assistance. Such funding depends on the presence of a secure environment because donors are typically risk averse. Furthermore, to move beyond 'permanent crises management', capacity building must be emphasized to prevent aid dependency (Wolff 156).

The question becomes how is reconstruction aid distributed amongst the transitions in the reconstruction process. Many post-conflict societies are able to tap into a 'peace dividend,' the money that was being spent on military expenditures, which can now be used for other purposes

(del Castillo 79). This fund is less plentiful in cases where the conflict was fueled from outside. What is funded and who supplies the funds is dependent upon the post-conflict setting.

c. The situation in BiH

This section describes the post-conflict reconstruction process in BiH. As reviewed above, reconstruction occurs in phases and transitions. BiH exhibited many of the characteristics of a 'typical' post-conflict setting. However, BiH's reconstruction efforts, led by the international community[7], show a lack of planning for the long-term and low local capacity development.

Interestingly, international funding has been plentiful in the case of BiH. During the reconstruction process, BiH has received more than 5 billion in assistance (Tzifakis and Tsardanidis 78). This was divided into two phases of support: the first was from 1996-1999 for "reconstruction programmes aimed primarily at rehabilitation of infrastructure and restoration of public services and the establishment of a viable macroeconomic framework"; the second was from 2000 to the present to support reform efforts in the economic, political and judicial sectors (Tzifakis and Tsardanidis 70). The World Bank[8] started reconstruction efforts in 1996. A total of sixteen 'emergency projects' were created to address the reconstruction of key sectors (A. Kreimer, J. Eriksson, R. Muscat, M. Arnold, C. Scott 11). Despite the large amount of international support, economic recovery has not occurred. As international aid continues to decrease, it has become apparent that BiH is dependent on aid. As aid went up until 1999 and then subsequently down, GDP growth rates have dropped steadily from 1996 onwards.

As stated earlier, peace agreements must address both short-term and long-term goals of the reconstruction process. Additionally, the connection between the international community

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[7] Here, the author refers to those actors involved in BiH, including those active in the Peace Implementation Council: Albania, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, China (resigned in May 2000), Croatia, Czech Republic, Denmark, Egypt, Federal Republic of Yugoslavia, Finland, Former Yugoslav Republic of Macedonia, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Jordan, Luxembourg, Malaysia, Morocco, Netherlands, Norway, Oman, Pakistan, Poland, Portugal, Romania, Russian Federation, Saudi Arabia, Slovak Republic, Slovenia, Spain, Sweden, Switzerland, Turkey, Ukraine, United Kingdom and United States of America; the High Representative, the Brcko Arbitration Panel (dissolved in 1999 after the Final Award was issued), the Council of Europe, European Bank for Reconstruction and Development (EBRD), the European Commission, International Committee of the Red Cross (ICRC), the International Criminal Tribunal for the former Yugoslavia (ICTY), the International Monetary Fund (IMF), the North Atlantic Treaty Organisation (NATO), the Organisation for Security and Co-operation in Europe (OSCE), the United Nations (UN), the UN High Commissioner for Human Rights (UNHCHR), the UN High Commissioner for Refugees (UNHCR), the UN Transitional Administration of Eastern Slavonia (UNTAES; disbanded in January 1998) and the World Bank.
[8] The World Bank played a key role in peace negotiations, mobilizing of resources, jointly preparing assessments and strategies, sectoral and in country coordination.

and local actors is key to promote a successful reconstruction process. Wolff claims that the less local capacity is developed the less likely reconstruction will be successful (162). Local capacity here refers to the ability of the local population to carry out the normal functions of a society. In the case of BiH, the way in which the international community coordinated efforts did little to increase local ownership of the process and did not consider what would be needed for long-term reconstruction.

i. The Dayton Peace Accords

The reconstruction process begins with the signing of a peace agreement. Efforts towards establishing peace in BiH began as early as 1992. The first proposal, created by the international community to end the fighting, was the Vance Owen Plan of 1993. This plan aimed to create a number of cantons, ultimately decentralizing the state. The goal was to reduce the risk of future partition by preventing ethnic territories from forming. In reality, "the boundaries of these cantons were devised to create an ethnic majority (or at least significant plurality) in each based on mapping the 1991 census figures" (Aitken 254). The idea of a decentralized state was the foundation of the Dayton Peace Accords (DPA)[9], signed in 1995. The DPA divided the country into two entities along the Inter-Entity Boundary Line[10] thus creating the Republika Srpska (RS), which is 49% of the state, and the Federation of Bosnia-Herzegovina (FBiH), 51%, which was further divided into ten cantons. Interestingly, even though the conflict was considered to be an ethnic civil war, the international community brought Croatia and Serbia into the peace agreement rather than Bosnian Serbs and Bosnian Croats. This meant that two of the warring parties were not involved in the peace agreement.

Despite the fact that the initiatives contained in the DPA were at least partially consistent with the reconstruction typology, the ways in which these reconstruction transitions were implemented have led to failed reconstruction. The DPA set up a constitution that has led to a paralyzed government, one that is characterized by an 'ethnocracy' rather than a 'democracy' (Zagar 64). Overall, BiH has remained under the control of the international community. This

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[9] The Dayton Peace Accords has ten annexes: Annex I-A Agreement on Military Aspects of the Peace Settlement; Annex I-B Agreement on Regional Stabilization; Annex II Agreement on Inter-Entity Boundary Line and Related Issues; Annex III Agreement on Elections; Annex IV Constitution; Annex V Agreement on Arbitration; Annex VI Agreement on Human Rights; Annex VII Agreement on Refugees and Displaced Persons; Annex VIII Agreement on the Commission to Preserve National Monuments; Annex IX Agreement on Bosnia and Herzegovina Public Corporations; Annex X Agreement on Civilian Implementation; and Annex XI Agreement on International Police Task Force. The DPA can be accessed at http://www.ohr.int/dpa/default.asp?content_id=379.
[10] See Annex II.

has done little to improve local ownership and capacity. Additionally, the DPA failed to address the need for a long-term development plan.

a. The Constitution (Annex IV) and the role of the OHR (Annex X)

The DPA created the working constitution for BiH.[11] The constitution defines Bosniacs[12], Croats and Serbs as the constituent peoples and refers to all other categories of people as 'Others'. The overarching theme of the constitution was to allocate more power to the entities than to the State[13] of BiH; in other words, decentralizing the state while strengthening the entities. There are in fact three levels of government: state level, entity level and cantonal level. Entities have the right to "establish parallel relationships with neighboring states" and can "enter into agreements with states and international organizations with the consent of the Parliamentary Assembly." The constitution continues by stating, "all governmental functions and powers not expressly assigned in this Constitution to the institutions of Bosnia and Herzegovina shall be those of the Entities." To summarize, little power was given to the national level of government.

The parliamentary assembly is composed of the House of Peoples[14] and the House of Representatives[15]. Article III states "a proposed decision of the Parliamentary Assembly may be declared to be destructive of a vital interest of the Bosniac, Croat, or Serb people by a majority of, as appropriate, the Bosniac, Croat, or Serb Delegates." Vital interests are loosely defined and can easily be used for a nationalistic agenda. Only the constituent peoples can run for office.

The presidency is comprised of three rotating members: one Bosniac and one Bosnian Croat, from the FBiH, and one Bosnian Serb from the RS. Annex IV Article V states "a dissenting Member of the Presidency may declare a Presidency Decision to be destructive of vital interest of the Entity from the territory from which he was elected." Again, the way in which vital interest is defined has allowed leaders to veto initiatives that they claim threaten their ethnic group.

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[11] See Annex IV.

[12] This term refers to Bosnian Muslims.

[13] These include: a. Foreign policy, b. Foreign trade policy, c. Customs policy, d. Monetary policy as provided in Article VII, e. Finances of the institutions and for the international obligations of Bosnia and Herzegovina, f. Immigration, refugee, and asylum policy and regulation, g. International and inter-entity criminal law enforcement, including relations with Interpol, h. Establishment and operation of common and international communications facilities, i. Regulation of inter-Entity transportation, and j. Air traffic control. Please see http://www.ohr.int/dpa/default.asp?content_id=372.

[14] Comprised of 15 delegates, two thirds elected from the Federation and one third from the Republika Srpska.

[15] Comprised of 42 members, two thirds elected from the Federation and one third from the Republika Srpska.

A unique institution, created under the DPA, is the Office of the High Representative (OHR). The Steering Board of the Peace Implementation Council (PIC), which is comprised of 55 countries and international organizations, is responsible for nominating the High Representative.[16] The nomination is then sent to the UN Security Council for endorsement. OHR was appointed to "facilitate the Parties' own efforts and to mobilize and, as appropriate, coordinate the activities of the organizations and agencies involved in the civilian aspects of the peace settlement."[17] Annex X Article V states that "the High Representative is the final authority in theater regarding interpretation of this Agreement on the civilian implementation of the peace settlement." In 1997, the High Representative's powers were expanded at the PIC Conference in Bonn. It was decided that the High Representative be able "to remove from office public officials who violate legal commitments… and to impose laws as he sees fit."[18] In effect, the peace agreement gave the international community the responsibility of rebuilding and creating a foundational constitution for a functional state through this institution.

i. Problems with the constitution and the OHR
This section discusses the problems that arise when a constitution is incorporated into a peace agreement without a specific plan for its overhaul once the country has stabilized. The way in which the international community defined the conflict is discussed as it affected the way in which the government subsequently functioned. Then, the components to the constitution are analyzed. Finally, the role of OHR in the DPA is discussed.

In the immediate aftermath of the conflict, some sort of temporary or emergency government was needed. This government was guided by the constitution incorporated in the DPA. The constitution, which was meant to be a temporary fix to get BiH past the initial trauma of the war, is still the working constitution today. While peace agreements should aim to address both short-term and long-term goals, the DPA addressed only short-term needs. Since constitutions have long-term implications, the DPA failed because it did not incorporate a provision, which stated a time when BiH must reconsider the constitution. As a result, the country has become gridlocked.

The origin of the gridlock can be traced to the fact that the international community characterized the conflict as an ethnic civil war. In general, ethnic conflicts increase the political

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[16] Please see http://www.ohr.int/ohr-info/gen-info/.
[17] Please see http://www.ohr.int/dpa/default.asp?content_id=366.
[18] Please see http://www.ohr.int/ohr-info/gen-info/.

salience of ethnicity (Simonsen 299). Defining the conflict as such "meant that people came to accept the logic that their own security depended on solidarity with the national group and members of other groups posed a security threat" (Aitken 251). Thus, the DPA institutionalized ethnic wartime divisions (Torsti, "Segregated Education" 67). In so doing, they accommodated ethnic nationalism into their structure and "recognized the territorial gains of war and ethnic cleansing" (Zagar 63). This has had profound long-term effects for the political system: "institutionalizing ethnicity in a constitutional settlement freezes ethnic divisions at the moment of greatest tension and limits the possibilities of a later decline in the salience of ethnicity" (Aitken 260). This has allowed and almost encouraged parties and candidates to pursue agendas that are in line with their ethnicity, which, in turn, has led voters to vote according to their ethnicity (Simonsen 300). According to Horowitz, "'the electoral system is by far the most powerful lever of constitutional engineering for accommodation and harmony in severely divided societies'" (qtd. in Reilly 127). In the case of BiH, the electoral system has not encouraged harmony but rather has promoted gridlock.

Overall the DPA were more of a "truce than a true peace treaty" (Zagar 63)**.** The ultimate goal of the drafters of document was to stop the war. They ended the ethnic cleansing and violence, "responded to the ethnonationalist aspirations of the peoples of BiH, and avoided the secession of parts of the country" (Aitken 255). However, the document did not consider the problems that would arise from the constitution they implemented, and the institution of OHR, should they be used for the long-term.

OHR has negatively impacted the development of local capacity and more generally the sovereignty of BiH. With its 'quasi-dictatorial powers' or 'protectorate like authority' OHR has been able to intervene to depose political leaders and enforce decision-making. Lord Paddy Ashdown, the High Representative who took power in 2002 said "he planned to use the Bonn Powers to remove deadlocks and get Bosnia on track to normalization" (Chivvis and Dogo 104). During his term, he deposed 60 members of the RS as OHR took on a more coercive role. However, while OHR has been successful in deposing officials and in intervening in decision-making, it has not been active in changing the nature of the political process that would result from constitutional reform.

OHR's influence has varied according to the individual who holds the office of the High Representative. Whereas Ashdown believed in using the Bonn powers, Schwarz-Schilling did

not. In 2005, an initiative was put forward to promote constitutional reform. The international community, recognizing the limitations of the DPA and the problems stemming from its structure, pushed local actors to reform the constitution. While many were in support of the initiative, two parliamentarians pulled out at the last minute. This was the beginning of a renewed deterioration of Bosnian politics. In 2006, Bosniac leader, Haris Silajdzic wanted to have a "one man-one vote system" which would significantly reduce the power of the Bosnian Serbs who are in the minority (Chivvis and Dogo 106). This provoked Milorad Dodik, President of the RS, to defend the autonomy and power of the RS. Essentially, it became a competition to protect one's own power. Interestingly, both politicians were elected in 2006 on these platforms. This was made possible largely because of the new High Representative, Christian Schwarz-Schilling, failed to intervene, believing that OHR should not use its Bonn Powers to intervene because they prevent democracy from growing in BiH (Chivvis and Dogo 106). It is important to note that President Dodik is known for discrediting the institution of the OHR.

OHR's original mandate was one year, however it is still active (Torsti, "Segregated Education" 66). While the country is stable and secure, it would seem that the local capacity has not been built enough to continue the reconstruction process should the international community pull out. In fact, Zagar stated that "the involvement of the international community, particularly the Office of the High Representative and EU Special Representative remains important, sometimes essential" (67).

In summary, the DPA in effect prohibited BiH from becoming sovereign. By institutionalizing ethnicity, it created no incentive for politicians to reform the constitution that is necessary for BiH to move forward. Additionally, the Bosnian population is "loudly denounced as dysfunctional for failing to embrace internationally imposed constitutional arrangements" under the DPA (Hughes and Pupavac 881). However, it is not clear how the local population could achieve this given the role of the international community. A peace agreement was signed and it did include a post-conflict constitution. However, by including a constitution in the peace agreement without also determining a fixed end date or process for constitutional reform, the DPA have prevented BiH from moving forward. Additionally, the actions of OHR, and the fact that the constitution was drawn up by international actors, have not encouraged local capacity development or local ownership of the process.

b. Other aspects of the DPA

The DPA also contains annexes and provisions that lay the groundwork for other reconstruction efforts. These include agreements on the military, regional stabilization, election procedures, arbitration, human rights, refugees and displaced persons, commission to preserve national monuments, BiH public corporations, civilian implementation, and an international police task force (IPTF).[19]

i. Security Issues

Annex I-A states that the international community agrees to send a force, "for a period of approximately one year" to assist with the implementation "of the territorial and other militarily related provisions of the agreement." This was the Implementation Force (IFOR) comprised of NATO and non-NATO nations whose mission was to "establish a durable cessation of hostilities." This provision aimed to reduce the risk of violence reoccurring by ensuring security. IFOR was also allotted the power to assist with elections, humanitarian missions, movement of civilian populations, refugees and displaced persons, and to monitor landmine removal. Annex I-A also describes what is encompassed in the Early Recovery and Stabilization/Transition Phase, that is, establishing security, meeting humanitarian needs, and strengthening post-crisis governance, which in this case was accomplished by international forces.

There is still an international force present in BiH today because of the lack of reconciliation. After the 'successful' elections in 1996, IFOR had completed its mission of implementing the Military Annexes of the DPA. However, it was clear that the post-conflict environment still posed a threat to peace. It was decided that a reduced force was still needed to provide "the stability necessary for consolidating the peace" (SFOR). NATO subsequently organized a Stabilization Force (SFOR), which took the place of IFOR. In 2004, SFOR's mission ended and once again the international community did not feel that BiH was prepared for complete removal of international forces. The European Union launched EU Force (EUFOR), a force of 7,000, and assumed responsibility for peacekeeping operations (NATO). This shows little local capacity development and trust.

The Annex also prohibited the firing of weapons and explosive devices by the warring parties. All foreign troops, Croatian or Serbian or those from other neighboring states, were required to leave thirty days after the signing of the peace agreement. The Joint Military

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[19] Please see http://www.ohr.int/dpa/default.asp?content_id=379.

Commission addressed land mine removal, another component to del Castillo's security transition. Each warring party was required to turn over maps indicating where "unexploded ordnance, explosive devices, demolitions, minefields, booby traps, wire entanglements" etc. had been laid. Ensuring basic security as mentioned earlier is a precursor to the success of other reform efforts.

Landmines in cities and their surrounding areas have largely been removed. However, there is no guarantee of the location of the mines since the warring parties often did not make maps and nature can shift the locations of mines over the years. Additionally, land mine removal is expensive. According to the BH Mine Action Center (BHMAC), 2.9% of BiH is still mine-infested with some 22,000 mines and unexploded ordinance suggesting that a form of physical insecurity is still present (BHMAC). Between 2003-2006, there were approximately 3 victims per month, killed by landmines (Council of Ministers). Mine education programs led by BHMAC and other NGOs have been implemented. However, large areas of BiH still remain inaccessible due to landmines, and children and farmers still find unexploded ordinance by the roads.

Annex I-B continues the security transition by describing a DDR program. Severe restrictions were placed on arms movement and on ownership of arms. Annex I-A described prisoner exchange procedures, which could be seen as a form of reintegration. Additionally, "each party shall comply with any order or request of the International Tribunal for the Former Yugoslavia for the arrest, detention, surrender of or access to persons who would otherwise be released and transferred." The ICTY and its impact on the reconstruction process will be discussed later.

Lastly, Annex IX states that the parties agreed to an international police force. This included civilian law enforcement overseen by the UN International Police Task Force (IPTF). The IPTF did develop local capacity by advising and training local personnel on law enforcement. This suggests judicial and security institution building that occurs in the transformation/institution building phase of the UNDP, UNDG, and WB plan for reconstruction.

ii. Elections

Annex III deals more with the political transition and aims to create an inclusive, non-elitist multi party system in addition to rebuilding civil society. The Annex describes conditions for democratic elections: "a politically neutral environment; shall protect and enforce the right to

vote in secret without fear or intimidation; shall ensure freedom of expression and of the press; shall allow and encourage freedom of association; and shall ensure freedom of movement." This implies the development of acceptable, accountable and transparent institutions that is in line with Wolff's concept of the ideal post-conflict reconstruction process. Additionally, fair elections empower civil society by allowing civilians to hold their government accountable. OSCE was the international overseer of the election process. However, according to a personal contact, there is no civil society in BiH.[20] While it is hard to determine the reason for this, there is little confidence in BiH's political process.

The timing of the first BiH election compromised the potential benefits of the political transition. If held too early "elections in fragile situations can easily undermine the long-term challenge of building a sustainable democracy" which is what happened in BiH (Reilly 121). Additionally, the early elections allowed politicians to succeed by using the 'ethnic card', which has had lasting impacts on inter-ethnic communication (Reilly 132). Many wartime leaders, sometimes even war criminals, were able to continue to hold power. Political parties became extensions and variants of wartime armies. According to Reilly, "this generals-to-politicians transformation has been a recurring problem in the Balkans, where nationalist parties and elites have attempted to use the political process to continue to press their sectarian aims" (Reilly 121). Holding early elections can also be seen as a quick fix solution to reconstruction, as they develop a façade for a democratic system allowing the international community an exit strategy.

iii. Other Institutions
Article VI, elaborated in Annex V, states that parties agreed to the establishment of an arbitration tribunal, a Commission on Human Rights, a Commission on Refugees and Displaced Persons, a Commission to Preserve National Monuments, and Bosnia and Herzegovina Public Corporations." To a certain extent, this suggests a willingness to collaborate between the parties and clearly defined actors responsible for these parts of the reconstruction process.

In Annex VI, parties agreed to the rights and freedoms as defined in the European Convention for the Protection of Human Rights and Fundamental Freedoms. In addition to adhering to these principles, a commission on Human Rights was established which contained the Office of the Human Rights Ombudsperson and the Human Rights Chamber. The responsibilities of these institutions are to consider violations of human rights and the grievances

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[20] Interview with BiH Government Official conducted on 7/16/10.

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of victims. This transition also includes the breaking down of cleavages that are a precursor to reconciliation. However, these institutions did not incorporate this into their mandate, although parties were encouraged to support human rights. Within the first few years, these institutions were flooded with grievances.

Annex VII expands on human rights protections for refugees and displaced persons. This falls under the stabilization/transition and the transformation/institution building phases. These persons have the right to return to their place of origin. This means they have the right to have their property returned to them or be compensated should this not be possible. Those who decide to return are also protected under the Annex from "harassment, intimidation, persecution, or discrimination, particularly on account of their ethnic origin, religious belief or political opinion." The Annex also allows families to choose their location for return and states that repatriation cannot be forced. UN High Commissioner for Refugees (UNHCR), with contributions from the ICRC and UNDP, was appointed as the overseer of this process. A Commission for Displaced Persons and Refugees was also created. The purpose of the Commission is to "receive and decide any claims for real property… where the property has not voluntarily been sold or otherwise transferred since April 1, 1992." This was an effort to return property to pre-war owners and to settle disputes.

During the war an estimated 2.2 million people were displaced. 1.2 million were refugees and one million were IDPs. It is important to note that displacement was not a by-product of the war, but rather its very goal (Haider, "Humanitarian Assistance" 2). The population shifts were tremendous; 90% of the pre-war Bosnian Serb population left what is now the FBiH and 95% of the pre-war Bosnian Croat and Bosniac population left what is now the RS. UNHCR supports three durable solutions for displaced persons: voluntary repatriation, local integration, or resettlement to a third country. In the case of BiH, return was seen as the best option for a number of reasons. First, the large number of refugees posed a burden for the international community. Few countries were prepared to have thousands of refugees resettle in their country. Second, return was seen as a "central component of peace building – a way to restore pre-war 'normalcy'" (Haider, "Humanitarian Assistance" 2). International agencies believed that return was also the best way to promote reconciliation in the long run as it would reverse ethnic cleansing by promoting return to pre-war locations, or a return to status ante quo. In 1999, there was a shift away from the right to return towards the right to reclaim property. The Property Law

Implementation Plan (PLIP) encouraged people to submit a claim for their property. While there was no direct compensation, the international community supplied funds for houses to be rebuilt. The statistics from this plan suggest that many returned home to claim their property. However, the reality is that little was done to monitor who sold their property after reconstruction and then moved to another location. Therefore, these statistics do not necessarily accurately reflect who returned.

To date, 1,026,786 former refugees and IDPs have returned to their pre-war locations including, 467,388 minority returnees (UNHCR, "Statistics Package"). There are still 70,018 refugees and 113,642 IDPs (UNHCR, "UNHCR: Bosnia-Herzegovina"). UNHCR encourages sustainable return. However, in the case of BiH this seems to have been neglected. Many Bosnians longed to return home. But when they returned, the memory of home did not match the reality on the ground; "…old neighbors had disappeared. Tensions, deep resentments and residual fear within reshaped communities were widespread. Employment and income-generating opportunities were sparse, discrimination against minority returnees prevalent and poverty rampant" (Haider, "Humanitarian Assistance" 4). The protection of minority returnees presented a serious challenge to UNHCR and OHR. Many did not feel comfortable returning to their pre-war locations for fear of being attacked or for fear of assimilation. This is one reason for the initiative for segregated schools, to be explored later in this paper. However, this segregation within the communities has prevented interaction among different ethnic groups. The truth is that there are some areas where "no matter what happens, it's going to be 100 % of one ethnic group because of the impact of ethnic cleansing."[21]

Local integration in countries where refugees sought sanctuary was never considered to be an option. The international community treated it as a taboo that would jeopardize their efforts at reversing ethnic cleansing. They feared "that it would indirectly support and cement ethnic cleansing" (Haider, "Humanitarian Assistance" 7).

While refugee and IDP return is important to post-conflict reconstruction, the international community created a system that cemented ethnic divisions. By supporting the alternative, refugee return, without providing programs for community reconciliation, ethnic separation was essentially cemented. One program that showed promise was the 'Imagine Coexistence' initiative. The idea was that promoting coexistence would eventually lead to

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[21] Interview with a leading education official at an NGO in BiH on 2/3/11. Quoted with permission.

reconciliation. However the project was not widespread throughout BiH and only lasted 18 months. Additionally, Haider argued that coexistence alone cannot foster reconciliation and tolerance (Haider, "(Re)Imagining Coexistence" 93). The absence of reconciliation led to separation between the minority returnees and the ethnic majority as minority groups isolated themselves from the community out of fear.

Infrastructure development was cited as a key component to reconstruction. This typically occurs in the stabilization/transition and transformation/institution building phases. Annex IX states, "bearing in mind that reconstruction of the infrastructure and the functioning of transportation and other facilities are important for the economic resurgence of Bosnia and Herzegovina, and for the smooth functioning of its institutions and the organizations involved in implementation of the peace agreement." A Commission on Public Corporations was established to operate utility, energy, postal and communication institutions. Additionally, a Commission to Preserve National Monuments was created. National monuments are property "having cultural, historic, religious or ethnic importance." There have been conflicts over which ethnic groups' monuments should be reconstructed first. This has increased tensions between groups. When a mosque is rebuilt, Catholics and Orthodox Christians want their churches to be rebuilt. Additionally, in terms of overall rebuilding of destroyed infrastructure, buildings that were destroyed are still waiting to be rebuilt. According to a personal contact, "we always believed that the other side would pay for the damages." Despite the state of many buildings, which to an outsider may still seem to be in complete ruins, there have been significant developments in infrastructure since the end of the war. Water, public transportation, sewage, and other such services have been repaired. The outside appearance of several buildings throughout the country remains to be fixed. Additionally, many houses have been vacant and left in ruins since the end of the war.

c. Overall Summary
The DPA did address some of the key components to post-conflict reconstruction. According to the characteristics of post-conflict settings laid out by Barkat and Zyck and Brown, Langer and Stewart, the DPA touched on infrastructure, governance, demilitarization, establishing a functioning state, security reform, public administration reform, refugee resettlement, and peace building (Barakat and Zyck 1071) (Brown, Langer and Stewart 5). However some of the most important components to reconstruction are completely absent from

the DPA. These include programs for economic recovery, civil society development, education, reconciliation, and societal integration, all of which require long-term planning. As a result, unemployment is around 42% and over 50% of the population lives below the poverty line (Haider, "(Re) Imagining Coexistence" 97). Education, a potentially very powerful tool to promote successful reconstruction, is only mentioned as a right, even though there were severe divisions in education in the immediate aftermath of the conflict. Interestingly, reconciliation was only mentioned in Annex I-A: "to establish lasting security and arms control measures as outlined in Annex I-B to the General Framework Agreement, which aim to promote a permanent reconciliation between all Parties …" However, it seems unlikely that reconciliation here means breaking down the cleavages in the population, since the removal of the threat of violence and arms is hardly enough to promote reconciliation of an ethnically polarized society.

Overall, the DPA did not combine short-term and long-term efforts resulting in a poor long-term reconstruction plan. Additionally, they did not encourage local ownership and their implementers did not increase local capacity with time. A number of things went wrong. First, the international forces that were meant to be in BiH for approximately a year remain there to this day. There is little incentive for local actors to address the country's problems when there is still someone else there that has the appearance of doing it for them. Second, in almost every Annex, there is an international organization appointed as the overseer to the process. While this was necessary for successful short-term efforts, the DPA gave no directions for the promotion of local capacity. There was also no end date for the involvement of the international community.

III. Reconciliation

Reconciliation falls under the broader category of transitional justice, which aims "to transform relationships between people in post-conflict settings" (Selimovic 3), relationships that have become fractured and conflictual. According to Magill, Smith and Hamber, reconciliation typically includes five components: (1) developing a shared vision, (2) acknowledging and dealing with the past; (3) building positive relationships; (4) significant cultural and attitudinal change, and (5) substantial social, economic and political change (equity and equality) (15-16). There are two primary programs/systems used by the international community that try to promote reconciliation in post-conflict settings. These are truth and reconciliation commissions (TRCs) and ad hoc tribunals such as the International Criminal Tribunal for the Former

Yugoslavia (ICTY). Regardless of which of these is implemented or if a more localized program is developed, it is clear that the past must be dealt with as a part of the reconstruction process if it aims to be successful (Wolff 185).

TRCs and tribunals "promote reconciliation by forcing societies emerging from war or periods of political violence to 'come to terms' with the past, achieve 'closure' and stability" (Weinstein and Stover 13). The largest limitation of the courts and TRCs is that they seek to determine what trust is and subsequently force it onto the population. The reality is that finding truth is an individualized process. Therefore many leaders in the field of truth, justice and reconciliation argue for combined approaches that place local victims and perpetrators at the center of the process.

For many individuals, the reconstruction of their lives may continue for generations. According to Davies "the consequences of conflict, like shrapnel, penetrate deep into minds and hearts, to be worked out over a lifetime and beyond, and affecting relationships and identities for generations" (230). This process requires empathy, recognition of shared suffering and rehumanization of the 'other' (Haider, "(Re) Imagining Coexistence" 99). As Rogan notes, rehumanization can be achieved through personal contact as this helps to remove fears (Haider, "(Re) Imagining Coexistence" 99). This is what reconciliation must address.

Reconciliation presents a particular challenge in post-ethnic conflict settings. As stated by Wolff, the majority of the damage caused by ethnic conflicts cannot be repaired through physical reconstruction efforts alone (179). The emotional and physical injuries to the civilian population can deeply penetrate society leaving long-lasting marks. These injuries "not only serve to polarize and radicalize societies during the conflict, but they also often prevent reconciliation afterwards and contribute to continued tensions between the (former) conflict parties and their supporters, regardless of any deals that leaders may have struck" (Wolff 179).

a. Reconciliation and Reconstruction

Reconciliation is essential to a sustainable post-conflict reconstruction process, as it impacts nearly all transitions especially the development of civil society, local capacity, and sense of security, along with refugee and IDP return. As argued earlier, reconstruction is not possible without local capacity development. To strengthen local capacity, the international community must be able to tap into the resources of a unified civil society. According to

Hoogenboom and Vielle, civil society is "a space that exists between the household and the state where people develop relationships and interact independently from state institutions" (192). However, civil society will remain divided without reconciliation processes. On the other hand, it has been argued that reconciliation cannot begin until civil society has developed (Wolff 187). Rebuilding a civil society takes time but it is only once it has been developed that 'real reconciliation' can occur. It seems, therefore, that there is a reciprocal relationship between reconstruction and reconciliation.

In the presence of a weak civil society or one that excludes a group or groups, the international community is likely to step in and impose their views of a civil society on the local population instead of letting it develop organically. In the first case, if people are unwilling to work together to create a unified society, then the international community is unlikely to trust local actors and to give them agency in the process. As a result, local capacity will not be developed. In the second case, the international community may support a civil society still represented solely by parties involved in the conflict. Furthermore, NGOs who support civil society development often morph themselves into agencies more concerned with pleasing the international community than in meeting the needs of the local population. Overall, if civil society is not developed then local capacity is also likely to be missing from reconstruction.

Reconciliation can impact security issues especially 'freedom from fear'. This can be fear of assimilation (present in post-ethnic conflict settings) or the fear of being physically threatened or attacked. Since people will not return to their places of origin if they do not feel secure, reconciliation affects refugee and IDP return.

b. The Situation in BiH

Everyone in BiH has a story to tell about his or her experiences during the war. According to Nelson, even though recovery and reconstruction efforts have been taking place, the trauma from the war remains central to the lives of all Bosnians (306). Reconciliation must take place in a complex context given the scale and magnitude of the conflict. In 2003, the Secretary of the War Crimes Commission reported that they had "collected information on over 31,000 names of war criminals, 220,000 names of victims of war crimes, 75,000 names of people who were killed or are missing from the war, 45,000 names of people who were imprisoned during the war, 329 mass graves, over 800 villages were totally eradicated, and over 20,000

women who were raped as an act of war" (Nelson 307). War broke down all social ties between the different ethnic groups.

BiH presents an interesting case because there has been arguably only one initiative by the international community to promote reconciliation. According to a leading education official, "the International Community is very good at bricks and mortar reconstruction but it is bad at hearts and minds."[22] This section will look into the ICTY and discuss its successes and failures. The second portion of this section will present indicators that show the absence of reconciliation within BiH.

i. The ICTY

According to Hoogenboom and Vielle, the ICTY has been the main mechanism for justice and reconciliation in post-conflict BiH (189). These authors distinguish between a thin conception of reconciliation i.e. ending the violence, creating democratic institutions, and applying retributive justice (which is what the ICTY implemented) from thick reconciliation i.e. building relationships, restorative justice, establishing truth and forgiveness. They argue that "a thin conception of reconciliation as imposed on a warring state by the international community does not seem to be enough to forge lasting relationships between former enemies and create a shared future" (Hoogenboom and Vieille 195).

In May 1993, the UN Security Council established the ICTY in The Hague (Fletcher and Weinstein 29). Those who supported this initiative hoped it would replicate the principles of Nuremberg, emphasizing individual responsibility and accountability over community. The initial goals of the ICTY were to punish war criminals and restore peace and justice (Fletcher and Weinstein 36). However, these goals have expanded since the court was created to include the promotion of reconciliation. While this is contested, many have argued that there is a link between the justice work of the ICTY and reconciliation. Despite this perceived link, the ICTY received no mandate to promote reconciliation (Fletcher and Weinstein 37). While the creation of this tribunal was a major step for international criminal law (humanitarian and human rights law), its impact on reconciliation at the local level is less obvious.

Since the ICTY has struggled to gain legitimacy in BiH, there are serious concerns about the connection between the ICTY and the local population. First, the creation of the ICTY highlights the tension between the international community and the local population in the post-

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[22] Interview with a leading education official at an NGO in BiH on 2/3/11. Quoted with permission.

conflict setting. Some claim that the ICTY is a "western European legal tradition" which was created out of guilt on the part of the international community for its failure to stop the ethnic cleansing (Fletcher and Weinstein 34-35). Weinstein and Stover state "the architects of the tribunals placed primary responsibility for the prosecution of war crimes in the hands of international authorities that would be free from local influences" (11). While this separation may have been necessary initially because of potential biases on the part of local prosecutors, there was no effort to prepare and develop the capacity of the national courts in BiH. Rather, the entire BiH legal system was undermined, which has led to resentment on behalf of local prosecutors. The local courts have also been backed up with cases (Watch). The ICTY established primacy over the domestic court system and there was no formal connection between the two judicial systems. As a result, the national court systems have not been able to handle the prosecution of war crimes in a joint effort with the ICTY (Fletcher and Weinstein 30).

One of the key components to successful reconciliation, local ownership, is missing. The distance between what was most important to the victims versus what was important to the ICTY is underlined by the stress placed by BiH citizens on local judicial proceedings. Some witnesses who testified against high profile defendants at the ICTY said that their "'work as witnesses' would be complete only once they had testified against local war criminals whom they held directly responsible for the deaths of family members and neighbors" (Stover 107). The ICTY missed the opportunity to become more engaged with the local community by not assisting with lower-level criminal cases.

A second concern is that the court is located in The Hague, a site that is both physically and linguistically removed from BiH. During the first few years of the ICTY, there was no contact between the tribunal and the local population. The ICTY cared little about the way they were regarded in BiH. Recently, the ICTY has made efforts to bridge this gap through outreach programs that help citizens understand the role of the court. Despite these efforts, the overall view of the court system by Bosnians, is negative and the local population sees the ICTY as a "world unto itself" (Fletcher and Weinstein 33).

Interestingly, the degree to which each ethnic group emphasizes the role of the ICTY varies according to ethnicity. Selimovic found that, when responding to the statement "the war crimes tribunal in The Hague is a precondition for a just peace and normal relations," 51.6% of Bosniacs agreed with the statement, while only 18.7% of Bosnian Croats and 4.7% of Bosnian

Serbs agreed (6). In a study conducted by Fletcher and Weinstein, Bosnian Serb and Bosnian Croat participants believed that the ICTY was politically biased and thus not able to provide fair trials (33). Slobodan Milosevic and Radovan Karadzic concurred in their rejection of the ICTY as an illegal system: both tried to boycott their cases. Historically, more Bosnian Serbs have been prosecuted at the ICTY (ICTY). This has led to a sense of 'victors' punishment', which stems from the initial identification by the international community of the Bosniacs as the victims and the Bosnian Serbs and Bosnian Croats as the perpetrators. The international community at this time did not account for the atrocities that were committed by all ethnic groups. Each ethnic group has subsequently, and slightly competitively, sought "confirmation of its status as victim" from the court (Fletcher and Weinstein 39).

For many victims, burying their loved ones is a necessary condition to putting the past behind them. According to forensic anthropologists, Doretti and Fondebrider, "'families have a desperate need to recover the remains so that they may properly bury them and close – if only partially – the circle of uncertainty'" (qtd. in Stover and Shigekane 85). This takes time and funding. In contrast, for the ICTY, it was not necessary to establish the identity of individual remains but only to establish that a crime had been committed (Stover and Shigekane 85). For example, the Office of the Prosecutor decided in the case of the massacre at Srebrenica that the "establishment of the victims' ethnicity and cause and manner of death would be enough to build their case" (Stover and Shigekane 91). Therefore, after these facts were established, the bodies were placed into a tunnel in Tuzla and some in tubs in a parking lot. If the general sentiment was for the ICTY to incorporate reconciliation (as defined by the local population) into their work, these bodies should have been identified. During this time, many Srebrenica survivors continued to believe that their loved ones were alive. Additionally, many female survivors of Srebrenica fell "into a limbo of 'ambiguous loss,' torn between hope and grief" (Stover and Shigekane 95). While the International Commission on Missing Persons (ICMP) is now in complete control of the exhumation and identification process, the ICTY missed a crucial opportunity to connect their work to the local community. This is another source of distance between the ICTY and the local population.

A final concern about the role of the ICTY in promoting reconciliation involves the failure to provide witness protection for those who brave the trip to The Hague. There have been accounts of people receiving threats and losing their jobs after testifying at the ICTY. For these

witnesses "the act of testifying in an international court required an act of great courage, especially as they were well aware that war criminals still walked the streets of their villages and towns" (Stover 104). Regardless of the risk, many feel it is their duty to testify on behalf of the dead. While the ICTY is only responsible for establishing the truth to the extent that the individual can be held responsible for the crimes, the witnesses often want more. For some witnesses, they hope that, in return for their testimony, the tribunal might help them find meaning in the traumatic events they witnessed; they want to know why the person committed the crimes (Stover 106). This question is rarely ever answered for them. There is also a lack of appreciation within the court system for the witnesses. Witnesses often leave feeling worse than when they entered. It is particularly challenging when the witnesses do not feel that an adequate sentence was given to the person against whom they testified.

The overarching purpose of the ICTY, using criminal justice as a response to crime, is not contested amongst Bosnians. In fact "the overwhelming opinion is that those who committed war crimes must be brought to justice, and that trials are the most legitimate and credible way to do so" (J. N. Clark, "The Limits" 8). It seems that the main problem with the ICTY is that, from the start, the institution promised too much. Or rather, those individuals who were involved with its creation interpreted its mandate incorrectly. Subsequently, this affected the ICTY's reception in BiH where it was perceived initially to be an institution that could provide closure to the population as the foundation to reconciliation efforts. Interestingly, "the UN resolutions creating the ICTY make no mention of the need to build foundations for social reconstruction[23] in the former Yugoslavia, including consolidation of a national shared history of the war; the creation of domestic legal institutions that promote and respect strict adherence to the protection of human rights; and democratic institutions capable of guaranteeing individual rights and freedoms" (Fletcher and Weinstein 36). Regardless, individuals believed the ICTY could achieve these things.

Stover states "it is an illusion to suppose that the ICTY, located over a thousand miles away from the former Yugoslavia, can forge a common version of the history of the Yugoslav conflict that would be accepted by all sides" (116). National reconciliation cannot be based on a factual record established by the tribunal that people are 'unable or unwilling' to recognize. Furthermore, the so-called truths established by the ICTY, have not been universally accepted (J.

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[23] According to this author, social reconstruction refers to reconciliation.

N. Clark, "The Limits" 14). In conclusion, it is clear that war crimes trials, international law and its institutions are not able to address the issue of interpersonal reconciliation (Weinstein and Stover 14).

Respondents who participated in the Stover study stated that more had to be done and cited arresting local war criminals, finding the missing, providing jobs and adequate housing, repairing factories and public buildings, reintegrating primary and secondary schools – were all necessary before reconciliation can take place (Stover 117-118). In particular, local reconciliation efforts are needed for the long-term success of reconstruction (J. N. Clark, "Missing Persons" 229). As Halpern and Weinstein note, "reconciliation must begin at the level of the individual – neighbor to neighbor, then house to house, and finally, community to community" (306). Therefore, it seems that, for BiH, grassroots efforts are desperately needed to promote reconciliation.

ii. Key Indicators for the Absence of Reconciliation
There are several key indicators that testify to the absence of reconciliation in BiH. By comparing the components to reconciliation laid out by Magill, Smith and Hamber, to the situation in BiH, it is clear that little progress has been made. No shared vision has formed, there has been little general acknowledgment of what happened during the war, positive relationships have not developed, there have been no significant cultural and attitudinal changes, and there has not been substantial social, and economic and political change. Additionally Clark found that "there is no reconciliation in BiH…while the country is now relatively peaceful, …what exists is negative rather than positive peace" ("The Limits" 14). Clark cited mistrust, little to no contact with other ethnic groups and the existence of 'competing truths and denial' as evidence for a lack of reconciliation.

It has been challenging for grassroots reconciliation efforts to develop. As Steffanson notes, addressing the past remains taboo (qtd. in Haider, "(Re) Imagining Coexistence" 100). Many feel that collective silence allows "for relatively unproblematic ethnic co-existence" but this means avoiding any communication about the war (Stefansson 70). There is a difficulty on the part local actors to overcome the strong pull towards identification according to ethnicity. Victims and perpetrators are clearly defined terms. As noted earlier, the identities of 'victim' and 'perpetrator' have become tied to ethnic communities, largely as a result of the DPA, which institutionalized ethnicity. Each group feels that their ethnic group is the victim and that the other

ethnic groups are the perpetrators. The ICTY tried to individualize accountability by prosecuting individuals and being careful not to associate mass atrocity with one particular ethnic group. However, the victims still identify themselves as part of their ethnic group. When arrests are made, a Bosnian Serb war hero can be viewed as a major war criminal by the Bosniac population. Because of the association between 'victimhood' and ethnic identity, it is challenging for groups to accept that their 'side' also committed atrocities. Politicians often reinforce this association by citing the atrocities that were perpetrated against their ethnic group.

According to Selimovic, "the collective narratives made more sense and offered more security than 'individual justice' and 'shared truth' of the transitional justice paradigm" (6). Therefore, in order to promote reconciliation, terms which have been used to categorize entire ethnic groups must be broken down so that the conflict is no longer defined as 'us vs. them' but rather 'me vs. him/her', a kind of conflict that is more easily resolved.

There is often opposition to reconciliation by religious and political leaders. These leaders avoid discussing reconciliation as the lack of reconciliation allows them to continue to exert their authority (Stover 117). As mentioned earlier, politicians prey on the fear of local populations by using ethnic rhetoric, decreasing the chances for inter-ethnic trust and communication, but increasing their power.

Current President of the RS, Milorad Dodik frequently threatens to hold a referendum on the independence of Republika Srpska, an action that appears to be designed to weaken the power of moderates in all ethnic groups (Chivvis and Dogo 107). There are few incentives for President Dodik to change his platform since statements like this make him popular in the RS. Additionally, the RS has had significant economic growth, disproportionately relative to the FBiH and overall the government in Banja Luka[24] functions well. For this reason, it is not in the interest of nationalists to change their position since this would undermine their power (Chivvis and Dogo 110). By contrast, those who do take a moderate stance, while often praised by the international community, receive little support within BiH.

One of President Dodik's opponents, Haris Silajdzic has continued to press for a unified Bosnian state in which more power would be allocated to the Bosniacs because of their status as the majority and the RS would be dismantled as an entity. According to Chivvis and Dogo, Bosniacs view "the existence of the Serb republic … as a reward for Serb genocide" (108).

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[24] Banja Luka is the capital of the RS.

While the ultimate goal of many Bosniac politicians may be unification, it is hard for them to see the disproportionate power given to the Bosnian Serb minority and Bosnian Serbs, particularly, President Dodik will continue to see this goal as a threat to their power in BiH.

The veto power of the presidency and parliament has been used frequently and OHR has had to use their Bonn Powers over the past 15 years. The government has passed only 22 laws in the past two years. There have been 260 motions, all of which have been blocked (Cain). According to Silajdzic, "with only a 22% vote in the state parliament, you can block anything…if you don't have the high representative with all these vetoes, how can you do anything at all?" (Cain).

The lack of reconciliation and the paralysis of the parliamentary system are both demonstrated by the problems encountered when deciding on the lyrics to a national anthem. It was not until February 2009 that the commission for selecting the lyrics of the national anthem presented the winning entry (Kovac). However, the lyrics are still awaiting ratification by the BiH Council of Ministers.

Politics is just one area where there is a lack of compromise and dialogue amongst persons of different ethnic groups. However, politicians have negatively affected compromise and dialogue at a more localized level. Everyday life exhibits few signs of reconciliation. Intermarriage is now rare and this places children of mixed marriages in a difficult position (Chivvis and Dogo 111). Media sources have become increasingly tailored to different ethnic groups. According to Topic, a correspondent for an RS magazine, " 'the media spread hatred, and interpersonal relations are deteriorating…People travel less in the other entity, and a large majority do not want members of each ethnic group to be their neighbors'" (Cain 2). The result is frightening: "a newer generation of Bosnians may be even more inclined toward ethnic nationalism than their parents" (Chivvis and Dogo 111). Additionally, younger respondents to a survey said that they were less optimistic about living with people of other ethnicities than their parents (Stover 117).

One way of dealing with the past is locating, exhuming and identifying the remains of missing persons. As Clark argues, this may be one of the most critical obstacles to reconciliation ("Missing Persons" 425). The ICMP believe there are 30,000 missing persons from the conflict in BiH. 13,000 have been correctly identified but between 7000-8000 were misidentified because traditional methods were used. Traditional methods refer to making identifications based on

clothing and objects located on the remains or in the grave. This has been corrected through the use of DNA analysis that began in 2001. According to Keough, Simmons, and Samuels, the failure to identify missing persons causes their families to be " 'suspended in a 'no-man's land' of psychological and spiritual existence'" (qtd. in J. N. Clark, "Missing Persons" 429). Missing persons prevent families from moving forward, prolong the trauma of families, and fuel interethnic mistrust (J. N. Clark, "Missing Persons" 429). Since such a large number of missing persons remain unidentified, many families of victims have not begun the process of reconciliation.

As mentioned earlier, the ICMP is responsible for recovering and identifying the remains of missing persons. Their employees often work in very challenging environments. On July 27, 2010, ICMP workers were shot at while excavating a mass grave of Bosniac victims that was uncovered in Perucac Lake (BBC)[25]. The town lies on the border between BiH and Serbia. It was clear that they were not welcome there.

Ethnic cleansing created ethnic enclaves. The emphasis of the international community on return, without programs to promote interaction between different ethnic groups, has also led to divisions in communities that are predominately one ethnic group. Minority returnees who return to their pre-war locations find that they are now in the minority ethnic group. These returnees fear for violence and forced assimilation in their communities and subsequently isolate themselves which, leads to ethnic enclaves in mixed communities. This has negatively impacted reconciliation efforts.

Lastly, the divided education system, to be described later in this paper, indicates the generational lack of reconciliation. This is evident not only in the physical segregation of students but also in the use of ethnically specific curricula especially with respect to history. There is no consensus as to how history should be taught. In a UNDP study in June 2005 when asked how to preserve a historical record of the war, 32.4% of respondents said that this should be addressed in history books, while 26.6% said that the events should not be addressed for the next 20 years (Priesner, O'Donoghue and Dedic 126).

From these indicators it is clear that reconciliation has been absent from the reconstruction process in BiH. Reconciliation can have a significant impact on civil society, local capacity, security and return of refugees and IDPs. Additionally, reconciliation can impact and

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[25] The author was in BiH during the event and confirmed it through local media.

be impacted by the education system; that is their relationship is consequential. The importance of education systems as they relate to reconciliation will be discussed in the following section.

IV. Education Systems

Education has a dual role to play in post-conflict settings. On the one hand, it can directly affect the success of post-conflict reconstruction by determining whether there will be an educated workforce capable of supporting economic recovery. On the other hand, education can have a less direct impact by influencing reconciliation, which in turn affects reconstruction. As Smith argues, education can be a tool for ideological development, provide knowledge and skills which promote economic development and it can be "a means by which social and cultural values are transmitted from generation to generation and, depending on the values concerned, these may convey negative stereotypes or encourage attitudes that explicitly or implicitly condone violence or generate conflict" (22). Education in post-conflict settings helps to bring normalcy, democracy and economic recovery (Trnavcevic 99) and can be a "mechanism for social change, by identifying the sources of conflict and developing strategies to ameliorate them" (Hayes and McAllister 438). This means that education can maintain stability and encourage unity (Gallagher 429).

Perry argues that education is the key component to reconstruction in post-ethnic conflict settings. It is a country's "single most important social, economic and political resource. Schools educate youth for future employment, socialize children to ensure integration and active involvement in their communities, prepare them for productive participation as a citizen in their country and transmit those values and beliefs deemed to be important by their society" (Perry 2). More broadly, education for life-skills promotes "learning knowledge, learning to do, learning to be, and learning to live together" (Dubois and Trabelsi 58).

Smith has identified three dimensions of the development of education in post-conflict settings: physical, ideological and psychological (19-29). In the first dimension, education in the immediate aftermath of conflict will focus on material reconstruction (Davies 229). Schools are rebuilt and teachers and administrative workers to staff the school are identified. The second dimension refers to a shift in ideology towards the democratization of education and preparing teachers through training for post-conflict education. Lastly, psychological reconstruction means addressing loss of trust and mental health concerns of students. How these phases are

implemented will depend on how education is incorporated into the first step of the reconstruction process, the Peace Agreement.

a. Education and Peace Agreements

There is a lack of consensus as to the way in which education should be addressed and subsequently implemented in peace agreements. According to Nikolai, during emergencies, securing basic necessities is prioritized over education (33-50). It is clear that humanitarian aid to provide things like food, water, and shelter is very important in the immediate aftermath of conflict. However, as mentioned earlier, peace agreements must address both the short-term and long-term goals of reconstruction. Therefore, not only should education be considered in any peace agreement, but also it should be viewed in terms of both a short-term humanitarian need as well as a long-term development goal. Complications may arise if education systems were implicated in the conflict. However, regardless of these complications, by incorporating education into the peace agreement, there is an increased chance that the sector will "receive attention after a conflict and that the impact of the conflict on the education system will be addressed as well as the role that education may have played in the outbreak of conflict" (Dupuy 161). This indicates a concern for education for the long term.

Dupuy argued that there are four ways in which education can be framed in peace agreements: as a security issue, as a protection issue, as an economic issue, and as a sociopolitical issue (157). Each issue falls under a broader phase or transition within post-conflict reconstruction. Some are more related to short-term goals others to long-term goals. By emphasizing education within these reconstruction transitions, education is thus framed developmentally and progressively. Additionally the role of education is enhanced when it is incorporated into multiple components to the peace agreement.

b. Education and Reconstruction

As mentioned earlier, the phases of post-conflict reconstruction should be considered consequentially. This implies that phases and transitions are intertwined and affect each other. This paper argues that education has a critical role to play in post-conflict settings. If the ultimate goal of reconstruction is to rebuild society in a sustainable way, then there are a number of steps in the reconstruction process that must occur. These steps must not ignore education.

As noted above, education needs to be given a mandated role in any peace agreement that considers both short-term and long-term goals. In this way, education can impact many aspects of the reconstruction process. First, it can contribute to economic recovery by generating an educated workforce. In so doing, education can also affect the development of local capacity. Second, it can promote a civil society both by encouraging inter-ethnic interaction and by generating an educated electorate that can make informed decisions about political issues. As Torsti argues, education is an essential "long-term building block of a functional civil society'" (Tortsi, "Divergent" 334). Third, if education is successful in reducing inter-ethnic tensions, then security is enhanced and there is less chance of a return to conflict. This should encourage IDP and Refugee return.

It is the form of education, for example, integrated schools, that has the power to promote the kind of positive inter-ethnic interaction and a shared history that are both essential for reconciliation and reconstruction. If student interaction is positive, this will spread to the community as a whole fostering the development of a civil society. Education is seen as a "vital window of opportunity to rebuild positive peace" (Dupuy 162). If this window is missed, the consequences on societies trying rebuild are profound. An analysis of the case of Northern Ireland (NI) reveals how education can shape reconciliation. This relationship will be elaborated when the case of BiH is analyzed.

c. Education and Reconciliation: The Case of Northern Ireland

It has been shown that "'ethnic attitudes are formed early, and that once positive or negative prejudices are formed, they tend to increase with time. Early socialization experiences are, therefore, critical in the formation of ethnic attitudes'" (qtd. in Perry 5). According to Magill, Smith and Hamber, two key components to achieving reconciliation are significant cultural and attitudinal changes and the development of a shared history (15-16). Divided education systems assist in the perpetuation of ethnic prejudices and therefore an absence of attitudinal changes. This is apparent in divided curricula but also in the absence of interaction between persons of different ethnic groups.

Gallagher argues that, in NI, reform of the education system was used to address reconciliation (431). Education systems were seen to have the capacity to both perpetuate and ameliorate divisions in society. In the case of NI, education was given a mandate in the peace

agreement. The Good Friday/Belfast Agreement stated that "an essential aspect of the reconciliation process is the promotion of a culture of tolerance at every level of society, including initiatives to facilitate and encourage integrated education" (Gallagher 436).

Bozic notes that, unfortunately, education has been used to perpetuate rather than ameliorate divisions between Catholics and Protestants (325). 95% of children attend segregated schools, and 80% of social housing is segregated indicating that segregation has permeated many areas of society even the youth of NI (McAleavy, Donegan and O'Hagen 541). This point is reiterated by Gallagher who argues that education did not confront the outcome of the existence of segregated schools, namely that they perpetuate divisions in the society (429).

To address this issue, integrated education has been emphasized in post-conflict NI. However, according to 2008 data, only 6% of the population attended these integrated schools (Magill, Smith and Hamber 19). Integrated schools were introduced under the assumption that segregated schools both symbolize the different attitudes of Catholics and Protestants and lead to intolerance (Bozic 325). This argument is supported by Gallagher who claims that: "1) separate schools enhanced religious divisions by providing different curriculums that heightened inter-group antagonism; 2) the mere fact of separation, allied with the hidden curriculum of separate schools, encouraged religious differences; and 3) the issue of separate schools was largely irrelevant, as the main basis for violent conflict lay in the unjust relationship of domination and subordination between the majority and minority communities in Northern Ireland" (434).

To summarize, in NI integrated schools were viewed as a way of reconciling Catholic and Protestant populations. However, they were not well attended and segregated schools continued to perpetuate divisions. While education was given a key place in the peace agreement and integrated education was encouraged, there was a lack of political will to enforce education reform. As stated earlier, education systems have the potential to ameliorate or perpetuate divisions. In the case of NI, due to the lack of political will, education was used for the latter. Regardless, Hayes and McAllister argue that, even though it was not successful, integrated education was the place to start to address societal divisions and that this should be the case in other post-conflict societies such as BiH (448). A force of politicians, parents, and school directors, who have themselves reconciled, must be present to support integrated education, if education systems are to ameliorate divisions. This is dependent on the long-term projection of the education system, in this case its projection for reform.

d. The Education System in BiH

i. History of Education System in BiH
The education system has undergone significant changes over the past century. During Austro-Hungarian control, "each ethnic group - Bosniacs, Croats, and Serbs - struggled for and gained autonomy in education affairs as a means to preserve and protect their respective identities, in effect giving schools a strong ethno-confessional character" (Bozic 323). While the education system was united under socialist Yugoslavia, history and language were still controversial subjects. President Tito did create a common curriculum and students learned both Cyrillic and Latin alphabets (Chivvis and Dogo 111). Between 1990 and 1992, after the collapse of the former Yugoslavia, the curricula became increasingly politicized as politicians of the three main groups used it as a tool to create divisions. With the onset of war, education became strictly divided according to the locations of the frontlines; Bosnian Serb controlled areas used the Serbian curriculum, Bosnian Croat areas used the Croatian curriculum and Bosniac controlled areas developed their own curriculum (Torsti, "People's Attitudes" 190). Education became a way to disperse propaganda and increase divides. This split in the education system was paired with the significant physical damage from the war. Around 60% of schools were damaged or completely destroyed (Perry 23).

ii. DPA and Education
As mentioned earlier, while the DPA ended the fighting in BiH, "the decentralized logic of Dayton has made education hostage to latent nationalism" (OECD 117). The DPA gave jurisdiction of the education system to the Ministry of Education at the entity level in the RS and at the cantonal level in the FBiH (Torsti, "People's Attitudes" 190). The result is a highly centralized RS and a highly decentralized FBiH that has made the coordination of education challenging. While the state level Ministry of Civil Affairs is meant to oversee the two entities, the DPA gave no mandate to this Ministry to intervene in issues involving education and remains largely ineffective within the sector. Additionally, decisions at any level must be made by consensus, which is 'very very challenging'.[26]

Returning to the FBiH, the constitution allocated 'making education policy, including decisions concerning the regulation and provision of education' to the cantons of which five are

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[26] Interview with BiH government official on 7/16/10.

majority Bosniac[27], three Bosnian Croat[28], and two mixed communities[29] (Perry). Since cantonal ministers continue to resort to nationalistic/ethnically-based platforms, the result is that the cantons developed 'de facto' Bosniac and Croat education systems (Bozic 321). In effect, then, the DPA have "institutionalized the war-time educational divisions" (Torsti, "Segregated Education" 67).

iii. International Community Involvement

According to Bozic, there are two forces working within the education system; they are politicization and fragmentation (320). Politicization has resulted in protectionism. The goal of protectionism is "to reinforce the national consciousness of a respective ethnic group and link it to a specific territory or territories and to exclude the other groups from its education system" (Bozic 320). Fragmentation is a direct result of the powers allocated under the DPA, since control of education was effectively decentralized.

On May 14, 1996, the World Bank (WB) announced its support of the Emergency Education Reconstruction Project. The WB contributed $10 million toward the total cost ($32 million). An additional $5 million from both the Trust Fund for Bosnia-Herzegovina and the International Development Association were given. This money went towards rebuilding classrooms and providing teaching material in an effort to return students to the classrooms as quickly as possible.[30] In 1997, a Second Emergency Education Reconstruction Project for BiH was approved. An additional $11 million was given to the project. This project continued to build on the previous goals[31] and expanded to try to "help develop an appropriate process of education finance and administration, to build government implementation capacity to plan and deliver education programs at different government levels, and to facilitate communication and cooperation on education issues within the Federation, and between the Federation and the Serb

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[27] Una-Sana, Tuzla-Podrinje, Zenica-Doboj, Bosna Drina-Gorazde and Sarajevo.

[28] Posavina, Western Herzegovina, and Livno-Tomislav.

[29] Central Bosnia and Herzegovina-Neretva (Mostar).

[30] More specifically the funding went to rebuilding 70 primary schools, building five new primary schools, printing and distributing textbooks to primary schools in the Federation, equipping primary schools in the Federation with basic education materials, and providing assistance to the Ministries of Education so that they could successfully implement the project. Please see
http://web.worldbank.org/external/default/main?pagePK=34370&piPK=34424&theSitePK=4607&menuPK=34463&contentMDK=20013476.

[31] More specifically, reconstruction of primary schools in the Federation, seven primary schools in the RS, equipment and furniture for the classrooms, textbooks and educational materials in the federation. Please see http://web.worldbank.org/external/projects/main?pagePK=64312881&piPK=64302848&theSitePK=40941&Projectid=P045313.

Republic."[32] As can be seen, the initial support to the education sector was financially based and did not include provisions for the long-term. While the program was successful in rebuilding the infrastructure of the education system, it was not successful in this expanded goal because of the gridlock created by the DPA.

In 1998, OHR created a working group to address the problem of hate speech found in history textbooks. The Agreement on the Removal of Objectionable Material[33] from Textbooks to be used in BiH in the 1999-2000 school year was signed in 1999 (J. N. Clark, "Education" 348). The initiative has been implemented but not to the extent intended. For example, there are cases when material in the textbook deemed to be hate speech was covered incompletely by black markers or stickers. Additionally, this peaked the interest of students, "who doubtlessly be stirred to exercise their lively minds on what lies beneath the opaque black ink" (Lo-Beer). There are also cases where this material was removed from the textbooks but then hung on school bulletin boards. Therefore, there was a discrepancy between the intention and the implementation of the agreement.

The International Community[34] became more involved in education in 2000, when it advocated for the creation of the 'two-schools-under-one-roof' system (note: this will be elaborated on below). This role expanded in 2002, when the International Community acknowledged that education had a large role to play and began reform efforts. This started when the Organization for Security and Co-Operation in Europe (OSCE) took over the education portfolio.[35] The goal was for the OSCE to play a coordinating role for international efforts in the sector. However, OSCE had no mandate as education was only mentioned in the DPA as a right with no elaboration on how that right was to be enforced. According to Perry, "… the lack of a

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[32] Please see
http://web.worldbank.org/external/projects/main?pagePK=64312881&piPK=64302848&theSitePK=40941&Projecti
d=P045313.

[33] One example of 'objectionable material' is in istorija, the Bosnian Serb textbook: "Through the Catholic Church and its fanatical followers, the fight was led against the Orthodox religion and Serbs. It seemed almost as if the situation from 1941 was repeating. Serbian people had to move out of Croatia, Serbs were tortured and innocent people were killed in the same horrible way as 50 years ago. Entire Serbian villages were robbed and burnt down, the Orthodox churches were destroyed, and graves and sacred places desecrated" (Torsti, "History Textbooks" 80). Similar examples can be found in the Bosnian Croat curriculum.

[34] Here, the International Community refers to multilateral donors (UNESCO, UNICEF, UNDP, EC, CoE, WB, OECD, OSCE), international NGOs (Save the Children, Norwegian Education for Peace, OSF) and some individual countries.

[35] The education portfolio involves: access to education for all, and non-discrimination; improving quality and modernization of pre-school, primary, and secondary education; structures for financing and management of education; and reform of the legal framework for education. Please see http://www.berghof-
conflictresearch.org/documents/publications/daytone_fischera_edu.pdf.

specific mandate in the peace agreement denied education the legitimacy of inclusion and the dedicated help of a designed responsible body" (42).

There have also been initiatives made by other international organizations. The Council of Europe (CoE) has tried to use its power to create requirements dealing with the education, as precursors for Bosnian accession into the European Union. The CoE has focused specifically on the teaching of history for the 1992-1995 period. In 1999, the CoE set the requirement for the removal of "potentially offensive material from textbooks" (Torsti, "People's Attitudes" 193).

The OSCE has been successful with several initiatives. The first was the Framework Law on Primary and Secondary education in 2003, which created a Common Core Curriculum and repeated the call for the removal of offensive material in textbooks (Torsti, "People's Attitudes" 192) (Fischer 306). However, there is often a gap between policy and practice. In fact the Framework Law created a dispute, which triggered several cantonal ministers to invoke 'vital national interests.' As such, vital national interests are "just an excuse for lack of action, preserving the status quo and in fact have very little to do with the real situation."[36] Cantons have continued to refuse total implementation of the law. The lack of political will on the part of these actors to make necessary reforms has meant that successful reforms have often been completed "in spite of instead of because of local actors".[37] In 2004, OHR had to intervene to impose the necessary amendments to the constitution so that this law was fully implemented (Fischer 307). Other international organizations that have conducted assessments of the education system "…have concluded that the quality of education in Bosnia and Herzegovina is very low compared to international standards and criteria, and there is little coordination in all levels of education" (Torsti, "People's Attitudes" 192). According to a survey conducted by the Open Society Fund (OSF), "segregation and discrimination have become established social facts in Bosnia-Herzegovina" (qtd. in Torsti, "People's Attitudes" 192). This segregation has continued for a generation, which has led to challenges in the development of an all-inclusive multicultural society.

iv. Indicators of Segregation and Division in Education
The overarching concept behind the current education system is "equal but separate" (Kreso 357). According to Bozic, there are three forms of segregation: "(1) 'two schools under

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[36] Interview with a leading education official at an NGO in BiH on 1/27/11.
[37] Interview with a leading education official at an NGO in BiH on 2/3/11. Quoted with permission.

one roof,' (2) busing children to mono-ethnic schools, (3) and teaching of so called 'national subjects'" (326). These categories can be further divided to create a total of five manifestations of ethnic division.

a. 'Two-Schools-Under-One-Roof'

The phenomenon of 'two schools under one roof' resulted from the lack of physical space available for schooling and from an early initiative by the OSCE and the OHR to promote minority return. These organizations supported this 'temporary fix' initiative assuming that the system of 'parallelism' would increase return of refugees and IDPs, which was seen as an important condition for economic development. The idea was to allow minority returnees who often resorted to schooling within private households to be moved into the local school building (OSCE 22). It is important to note that 'two schools under one roof' are "symbolic of the broader problems of this country… they are the most blatant ones."[38] The reality is that every school in the country, except for those in Brcko, fosters "segregatory practices because they exist for one group of people."[39]

The first 'two-schools-under-one-roof' was established in 2000. In just three years, the phenomenon spread, leading to the creation of fifty-two schools located primarily in the Zenica-Doboj Canton, Central Bosnia Canton and the Herzegovina-Neretva Canton (Bozic 328). This represents 18% of a total of 289 secondary schools in BiH.[40] The number of schools currently defined within this category is disputed. The Ministry of Civil Affairs of the FBiH claims that there are only thirty-two schools that are 'two-schools-under-one-roof'; eleven in the Herzegovina-Neretva Canton, thirteen in the Central-Bosnia Canton and eight in the Zenica-Doboj Canton. On the other hand, the NGO Schueler Helfen Leben reports that there are fifty-two, confirming Bozic's figure (Leben). As stated above, these schools are only present in the ethnically mixed cantons within the FBiH.

There are several different forms of this phenomenon. Most commonly, students from different ethnic groups attend classes in the same building but follow different curricula and can be divided physically by walls or schoolyard fences. These institutions also have segregated school boards and administrations. It can also mean that students attend the same building and classrooms and follow different curricula, but come to school in shifts. For example, Croat

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[38] Interview with a leading education official at an NGO in BiH on 2/3/11. Quoted with permission.
[39] Interview with a leading education official at an NGO in BiH on 2/3/11. Quoted with permission.
[40] Please see http://www.state.gov/r/pa/ei/bgn/2868.htm.

students attend school in the morning with a Croat flag on the roof, then at lunchtime, the flag is switched, and Bosniac students enter the premises to attend classes in the afternoon (Leben).

b. Mono-Ethnic Schools

This phenomenon of 'two schools under one roof' has also affected other areas of society. These schools typically have branch schools that are mono-ethnic in nature (OSCE 22). Branch schools tend to be filled with minority returnee students and have fewer resources than the main schools which contain the majority students. In reality, these branch schools become the 'de facto' two in one system. Students who attend mono-ethnic schools do not interact with students from other ethnic groups and in some cases the location of these mono-ethnic schools contributes to the segregation of the communities.

c. The Busing Phenomenon

The second major indicator of segregation and division is the busing phenomenon. This is the illegal practice of crossing administrative boundaries in order for children to attend schools in which they are part of the majority. Students are supposed to attend schools in their catchment area regardless of the ethnic make up of the school. Busing children to mono-ethnic schools is "an instrument for segregation present in both entities" (Bozic 333). Parents who can afford to do so will send their children to another municipality, Canton or Entity, avoiding their catchment area, in order for their children to attend a school in which they are in the majority. The most common reason given by parents for this practice is the lack of curriculum choice. For example, minority students do not want to attend religion class of another ethnic group. In reality, parents fear that their children will be isolated, attacked, or forced to assimilate, which is the same justification for the 'two schools under one roof' system. According to OSCE, "this works against two of the international community's highest priorities – the promotion of reconciliation among the nations of the state and the return of refugees and displaced persons to their homes of origins" (OSCE 6).

d. Forced Assimilation

For those who cannot afford to bus their children, the fear of forced assimilation has become a reality. The OSCE has identified several cases of forced assimilation of minority children in majority schools. For example, "a Serb child, the only one of his ethnicity in the entire school, passes each day through an entrance bearing a plaque that commemorates a well

known war criminal who killed many Serbs. The child sits at the back of the Islamic religion class, because he does not want to wander alone in the corridor"[41]. Also, there have been cases where these types of students have to sit in unheated hallways during the winter while the class is being conducted. Thus, where the curriculum only serves the majority group, the fears of the minority students and parents become realized.

e. The Curricula

The curricula, designed to accommodate each of the three ethnic groups, has further encouraged divisions. Each curriculum has an 'ethnocentric focus' which has resulted in competing versions of the truth (J. N. Clark, "Education" 348). Curricula reform is a controversial subject involving both their content and structure. In 2002, the Interim Agreement on Accommodation of Specific Needs and Rights of Returnee Children established the 'national group of subjects'. These are language, literature, history, geography (also known as 'nature and society'), and religious instruction. The Interim Agreement identified the subjects seen to "be of vital interest to the three constituent peoples and an important medium for transmitting essential cultural values" (Perry 33). This initiative unified the structure of the curricula despite the differing contents. Unfortunately, the same initiative has allowed for the promotion of divisions, stereotypes, and "questionable historical interpretations and cultural myths" (Perry 33).

It is important to note, that there are three national languages within BiH. Serbian, Croatian, and Bosnian, while very similar, are strongly connected to ethnic identity. Additionally, there are two national alphabets: Cyrillic and Latin. In the former Yugoslavia, there was only one language, Serbo-Croatian. Therefore, each ethnic group could and still can understand the other. According to Clark, "what was once a single language has now been artificially molded into three separate languages" ("Education" 350). This is why language was included as a 'vital interest' in the Interim Agreement. However, linguistic rights have been used to justify segregation.

One example of curriculum bias, given by student at the SHL youth seminar, was the geography course for Croat students at her school. These students learnt only about the geography of Croatia and they were taught that their capital was Zagreb not Sarajevo. This was reiterated by Torsti's analysis of the curricula. According to Karge, "Croat textbooks referred mainly to Croatia proper as the point of departure" (Torsti, "People's Attitudes" 194). In a

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[41] Taken from a PowerPoint presentation used by an international organization during a meeting in BiH on 6/18/10.

similar way, Bosnian Serbs place an emphasis on Serbia leaving Bosniacs as the only ones who placed BiH as the center of their history and geography. This may be because the textbooks for Bosnian Croats and Bosnian Serbs largely originate in Croatia and Serbia respectively even though this practice was banned.

It is important here to look specifically at historical textbooks as another indicator of division. Davies says that "who controls history and memory is key to conflict" (237). Ethnic post-conflict settings tend to place a larger emphasis on history education. In the case of BiH, the war was fueled by propaganda, which cited historic conflicts committed by the other ethnic groups. Differential ethnic amnesia is a key problem in history teaching; that is, covering up the past by either not teaching it or teaching it only in part, is "a significant impediment to the building of interethnic trust and thus to reconciliation itself" (J. N. Clark, "Education" 348). Additionally, as mentioned earlier there were cases prior to the Agreement that aimed to remove hate speech, where textbooks contained rhetoric that demonized and blamed other ethnic groups for the war, at the same time describing their own ethnic group as the victim. Many of the textbooks denied that their ethnic group was complicit in committing war crimes. Therefore, it is clear that history teaching can promote ethnic distance and exacerbate divisions if not handled properly. Additionally, as mentioned earlier, despite the removal of 'objectionable material,' between 2000-2001, only a portion of history textbooks were reprinted (Torsti, "History Textbooks" 80).

A memorandum of understanding[42] was proposed by the OSCE with the CoE and the Georg Eckert Institute for International Textbook Research to develop guidelines for geography and history textbooks.[43] In 2004, two commissions were formed to begin the research. The RS minister of education has still not signed the memorandum and even though the FBiH ministers are ready to move forward there is no state-level enforcing agency to create uniform standards for implementation.[44]

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[42] The principles outlined in this memorandum were the following: BiH as the main reference point; promoting the basic understanding of the history of all three constituent peoples and national minorities; disputed interpretations will be explained appropriately; and neighboring countries will be presented as impartial actors. Please see http://www.osce.org/bih/57453.
[43] Please see http://www.osce.org/bih/57453.
[44] Please see http://www.osce.org/bih/57453.

v. Obstacles to Integrated Education

a. Consequences of the Interim Agreement
The Interim Agreement "acknowledges 'the increasing number of returnee families, their constitutional rights and the right of their children to receive adequate education, and having in mind that the lack of it is often quoted as one of the main obstacles for return…" (Bozic 331). Adequate education here means 'ethnically correct' education (Bozic 326). In this way, the Interim Agreement initiative has fostered segregation particularly in the way that the 'national subjects' were defined. A report published by the Open Society Foundation found that the "national group of subjects and religious education textbooks support segregation in society. In fact, they are essentially mono-national and do not provide students with knowledge and skills for life in a multicultural society" (Fund 203).

The international community recognizes the right of minority groups "to education in their mother tongue according to their cultural and religious beliefs, respecting and promoting school, community, and national pluralism" (Bozic 330). This would suggest that it is not only a right, but also both acceptable and encouraged to be educated in distinct ways according to your ethnic identity. This was important during UNHCR's efforts concerning the return of refugees, particularly minority returnees.

While both instruction according to one's ethnic identity and the 'two schools under one roof system did create a safe and friendly environment for returnees in the first few years after the war, the number of minority returnees has gone down significantly with each year since the end of the war. This implies that there is no longer a need for such a system. As Bozic predicted, however, the side effects of this system have had long-term effects.

b. Political Influence
One of the major obstacles to education reform is the lack of political will. This has been made possible because of the DPA. The DPA were good for ending the war but not for building up the country in the aftermath of war. Instead, they have institutionalized divisions and friction between the ethnic groups making compromise seem a weakness. If the primary goal of politicians is to appeal to their political base, then they will push for divisions in order to continue to hold power. For example, Greta Kuna, the Minister of Education of the Central Bosnia Canton said publically and without qualms, "we shouldn't put apples and pears together. Put pears where pears are and apples where apples are" (Leben). To many, they do not see these

indicators as segregation but rather as actions to 'maintain cultural identities.'[45] Additionally, Croatia and Serbia and some religious groups, continue to fund, both monetarily and through the supplying of textbooks, ethnically divided schools.[46] There was an opportunity for change to the system in the recent elections in October 2010. However, the push for more power at the state level, including centralized control over education, continues to be rejected by the RS and FBiH. Increased compromise between the entities and coordination with the cantons is hindered by ethnic rhetoric.

vi. The Result

The reality is that "segregation in education and history teaching have continued for a generation, causing many problems for the development of a multicultural society" (Torsti, "Segregated Education" 65). The result is frightening and according to a leading education official, may be irreparable.[47] In a recent report by UNICEF, it was stated that "about 15% of pupils surveyed in one of the study-related municipalities had no information at all about the other peoples" which indicates that there is a "complete absence of communication between the various ethnic groups and a lack of action on the part of school authorities within the context of their role and responsibility to promote tolerance and understanding of others and ethnic differences" (13). Students have not been "taught to stop hating and fearing the other."[48] Almost two decades has gone by, allowing a generation of students to go through a system, which has created a divided society. The longer the segregatory and divided education system is in place, the more individuals have become accustomed to it. Unfortunately, it is now seen as normal and overall, there is less momentum for actors to reform.[49] Lastly, "all the money that we [the international community] have been spending on different elements of post-war reconstruction will amount to nothing if you have a future citizenship that is growing up thinking that they are three separate sets of citizens."[50] The education system has contributed to the lack of reconciliation but also to the failure of the reconstruction process.

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[45] Interview with a leading education official at an NGO in BiH on 7/19/10.
[46] Interview with a leading education official at an NGO in BiH on 7/19/10.
[47] Interview with a leading education official at an NGO in BiH 1/27/11. Quoted with permission.
[48] Interview with a leading education official at an NGO in BiH 2/3/11. Quoted with permission.
[49] Interview with a leading education official at an NGO in BiH on 7/20/10.
[50] Interview with a leading education official at an NGO in BiH 2/3/11.

V. Conclusion

According to Minow, "in the absence of positive experiences with people of other groups, it is difficult to overcome prejudices and stereotypes" (qtd. in Haider, "(Re) Imagining Coexistence" 101). Additionally, as stated earlier, early socialization experiences are important to the formation of ethnic attitudes. Clark takes this further by suggesting that, until segregation and division are removed from the education system and "replaced with integration and inclusion, the prospects for genuine reconciliation remain somewhat remote" ("Education" 344). This is because education is the key vehicle for achieving rehumanization of the 'other' and building inter-ethnic trust, two parts to the multidimensional definition of reconciliation (J. N. Clark, "Education" 345). Based on the analysis of the education sector in BiH it is clear that segregation and division in the education system has contributed to the lack of reconciliation. As it stands now, education is a major obstacle to reconciliation.

There are two mechanisms in an education system that can impact reconciliation: its form and its content. The ideal form would be an integrated education system. It has been shown that, consistent with the contact hypothesis, social interaction promotes the breaking down of ethnic divisions (Clore, Bray, Itkin, and Murphy 107-116). In other words, bringing children of different ethnicities under the same roof and into the same classrooms has the potential to reduce tension, remove prejudices and stereotypes, and encourage inter-ethnic interaction and promote trust.
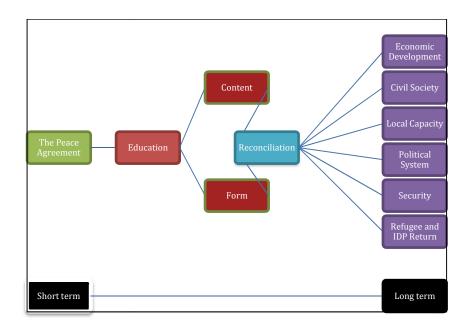
The ideal content of an education system would be inclusive and non-biased; that is, the curricula would be unified into a single curriculum, used by all ethnic groups. This would suggest a shared truth has been developed and accepted. This new curriculum would focus more on what students need to learn to be successful in society rather than on what they need to learn to be good members of their ethnic group. Religious education could still be provided separately. However, all other courses from the national group of subjects, language, literature, history, and geography, should be taught based on the same common curriculum and with students in the same physical space.

The absence of reconciliation due to the segregated and divided education system has in turn prevented successful reconstruction efforts from taking place in BiH. As was argued earlier,

reconciliation is key to achieving sustainable and successful reconstruction. The absence of reconciliation in BiH has impeded the reconstruction process.

Returning to the overall framework of the paper, the reason for these failures lies in the fact that long-term plans for education were not included the peace agreement. The absence of this provision meant that no mandate was given to an international organization or to the state level of government. As a result, initiatives for educational reform were delayed. Education quickly became politicized allowing it to be used by politicians interested in preserving divisions and the salience of ethnicity. Because the constitution was not given an end date or a timeline for reform, politicians are able to continue their hold on the education system.

To conclude, the ideal post-conflict setting would construct a peace agreement that considers both the long-term and short-term goals to reconstruction. A constitution is necessary, however caution must be taken to ensure that the document is transitional and that a fixed date to reform the constitution or even remove it from the peace agreement is considered. Furthermore, the progression from short-term to long-term reconstruction goals must consider the development of local capacity. That is, if the peace agreement is mandated by the international community, care must be given to allocate power to the local community, increasing local ownership and subsequently, assuring the success of the reconstruction process. Even if determining who or what constitutes the local community is challenging in the immediate aftermath of the conflict, determining what and when components to the reconstruction process will be allocated to local actors must be placed in the peace agreement. Lastly, specific provisions for the education system must be included in the peace agreement. All components to the reconstruction process are consequential; that is each has the potential to impact every other component in the process. In the case of education, the paper has argued that both its form and content can promote reconciliation, economic development, civil society, local capacity, the political system, security and return which are all components to successful and sustainable reconstruction (see Figure 1).

Figure 1. Schematic Representation of the Influence of Education on Reconstruction

a. Recommendations

The author accepts that the failure of constitutional reform and little planning for long-term reconstruction and local capacity development are both at the root of the problem with BiH's education system. Therefore, until constitutional reform occurs, there is little hope that education reform will be supported, as politicians still oppose removing divisions and segregation. Politicians also prey on the fear of teachers, school directors, and parents, which also reduces the probability for reform to emerge at a lower level. However, when the author spoke to students, it was apparent that many do not acknowledge any differences between students from different ethnic groups and are in favor of integrated schools. Two NGOs have captured this dialogue and given students an outlet to break down divisions and the segregation that has often been forced upon them.

The first NGO that the author sees as making a very positive impact on the student population is Open Fun. Open Fun is a Danish NGO that holds football camps in the month of August to try to remove students from their school settings, and encourage tolerance, respect, interaction, equality, trust, friendship, and mine awareness, all during a tournament of football. The trainers, from different ethnic groups, are hired locally and go through a week of training before the camp. This impacts inter-ethnic interaction at an adult level. The system has been very

effective and the arbitrariness of the divisions becomes apparent when you see children of different ethnic groups interacting and even forming friendships in this environment.

The second NGO has tried to encourage the breaking down of divisions and segregation both by using the education system and by removing students from this setting. Schueler Helfen Leben (SHL) is a German NGO that focuses on integrating students at 'two schools under one roof'. SHL employees go to these schools to strengthen student councils. In so doing, they try to integrate the councils so that students work together for a common goal. This effort has not been without setbacks. While SHL does not explicitly state that the program is to promote interaction between students of different ethnic groups, many politicians, school directors and parents have become aware of their intentions and have tried to obstruct their entrance into these schools. SHL has other programs, however, which remove students from these settings. For example, they hold youth seminars at the SHL house located just outside of Sarajevo. This empowers the students by giving them increased education about a subject that interests them, and then encourages them to go back to their communities to promote change or to share with others what they learned. The program also offers small grants to students to pursue projects in their communities. One SHL employee stated that without an active youth in communities across BiH, divisions will continue.[51] Students who attend these seminars are always from different ethnic groups. In this way, students are able to work together, discuss, debate, and form friendships with students from other ethnic communities.

Open Fun and SHL have been successful because they have identified one of the reasons for the absence of reconciliation; that is, lack of contact with students from different ethnic groups. They have removed the students from the environment that obstructs reconciliation; that is, the influence of politicians, parents, and school directors. This results in students being placed in a new environment where conversation, friendship, fun, etc., can flourish with people from different ethnic groups.

The success of these programs highlights the arbitrary nature of these divisions. To prevent other post-conflict settings from falling into the same trap that characterizes BiH, education must not only be incorporated into the peace agreement, but also seen as a critical component during all phases of reconstruction.

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[51] Interview a leading education official at an NGO on 7/20/10.

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