**Socioeconomic justice:**

**International Intervention and Transition In Post-war Bosnia And Herzegovina**

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**Figure 1. Map of Bosnia and Herzegovina**

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# List of abbreviations

BASOC - Banjalučki Socijalni Centar

BiH – Bosna i Hercegovina (Bosnia and Herzegovina)

CBBH – Central Bank of Bosnia and Herzegovina

CEN – Central Record on Missing Persons

CPRC – Commission for Real Property Claims of Displaced Persons and Refugees

DPA – Dayton Peace Agreement

EBRD – European Bank for Reconstruction and Development

ECHR – European Convention on Human Rights

ECtHR - European Court of Human Rights

EU – European Union

FBiH – Federation of Bosnia and Herzegovina

FDI – Foreign Direct Investments

GDP – Gross Domestic Product

HVO – Hrvatsko Vijeće Obrane (Croatian Defense Council)

ICC – International Criminal Court

ICJ – International Court of Justice

ICMP – International Commission for Missing Persons

ICTJ – International Center for Transitional Justice

ICTR – International Criminal Tribunal for Rwanda

ICTY – International Criminal Tribunal for the former Yugoslavia

IFIs – International Financial Institutions

IHL – International Humanitarian law

IMF – International Monetary Fund

JMBG – Jedinstveni Matični Broj Građana (unique citizen ID number)

KM – Konvertibilna Marka (Convertible Mark)

NGO – Non Governmental Organisation

OHR – Office of the High Representative

OSCE – Organisations for Security and Cooperation in Europe

PIC – Peace Implementation Council

PIFs – Privatisation Investment Funds

PM – Prime Minister

PREDA – Prijedor Development Agency

RMK Zenica – Rudarski-Metalurški Kombinat Zenica (Metallurgic complex Zenica)

RS – Republika Srpska

RŽR Ljubija – Rudnik i Željezne Rude Ljubija (Mining and iron ore Ljubija)

SME – Small and Medium Enterprises

UN – United Nations

UNDP – United Nations Development Programme

UNGA – United Nations General Assembly

UNSC – United Nations Security Council

USAID – United States Agency for International Development

VRS – Vojska Republike Srpske (Republika Srpska Army)

WB – World Bank

ZEDA – Zenica Development Agency

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*We fight exclusively for an order based on social justice*

(Declaration of the Sarajevo Citizens’ Plenum, 9 February 2014)

**Chapter 1**

**Introduction: ‘We Only Fight for Social Justice’**

We usually expect post-war or post-authoritarian societies to engage in *transitional* justice, as a way of dealing with the legacies of violent conflicts and regimes. In February 2014, however, citizens of a post-war and post-socialist country, Bosnia and Herzegovina, took to the streets to demand *social* justice, protesting over pay arrears and labour rights, and against the corrupt, failed privatisations that had left many effectively unemployed after the Bosnian War (1992-1995). Started in the city of Tuzla, a post-industrial centre hit by wartime pillaging and post-war deindustrialisation, the protests spread rapidly and became the largest popular mobilisation the country had ever witnessed after the war. Strikingly, the protesters gathered in civic assemblies where, while calling for the resignation of governments at state, entity and cantonal level,[[1]](#footnote-1) they contextualised their grievances within a broader system of injustice, linked to the legacy of the war and the complex post-war transition. Social justice is not the kind of justice we usually associate with ‘transitional’ countries, but that was precisely what the protests were about: to citizen activists who brought this term to the forefront of public debate for the first time in decades, this did not mean divorcing Bosnia’s post-war condition from their claims. Instead, it meant forging, or rather making explicit, a different kind of link between wartime violence and post-war justice claims.

Bosnia’s conflict, like other contemporary wars of the post-Cold War period, is commonly depicted as a bitter interethnic conflict, where widespread crimes against civilians were committed along ethnic lines and in the name of ethnonationalism. The framing of contemporary conflicts as ‘ethnic’ or ‘identity’ conflicts had a powerful impact on the mechanisms established to deal with individual accountability for war crimes, crimes against humanity and genocide. It was as a result of mass violence in Bosnia and Rwanda that the first international criminal tribunals since the end of the Second World War were set up, to put on trial those responsible for these crimes.[[2]](#footnote-2) This reflected the increasing dominance of legalistic and retributive approaches in the field of transitional justice, which in the Bosnian case would have helped rebuild the country based on non-violent coexistence among its three ‘constituent peoples’.[[3]](#footnote-3) Post-war justice came to be identified with courtrooms and the work of lawyers, prosecutors and professionalised NGOs working on ‘reconciliation’ projects, more than with social mobilisation or civic engagement, and thus sharply contrasted with Bosnian protesters’ demands for social or socioeconomic justice.

This is a striking but not isolated case. Socioeconomic issues are increasingly singled out as an essential but overlooked aspect of justice processes for communities affected by mass violence, in a diverse universe of cases ranging from post-Apartheid South Africa to Nepal, Colombia and Sierra Leone, to name a few.[[4]](#footnote-4) The book shows that understanding social discontent in post-war, ‘transitional’ countries requires different categories of analysis and conceptual frameworks than those usually adopted to analyse post-war justice issues. It seems clear that, from the perspective of Bosnian protesters (and their counterparts in post-conflict countries around the world) post-war justice meant something different than establishing individual accountability for war crimes. What transitional justice scholars and practitioners had overlooked, in the Bosnian case as in many other, was the socioeconomic dimension of wartime violence. In order to understand what it meant for the citizens of Sarajevo to ‘fight for an order based on social justice’, it is thus necessary analyse the role that socioeconomic violence plays in war, how post-conflict communities deal with it, and how socioeconomic justice claims stemming from the war turn into social justice struggles. The surprised reaction of international organisations to the protests also prompts questions about the role of ‘international interventions’ in marginalising socioeconomic justice issues through a narrow definition of ‘transitional justice’ and the promotion of specific economic reform programmes. This book tackles these questions, taking Bosnia and Herzegovina as a point of departure for broader reflections on the socioeconomic dimension of transitional justice processes. Analysing local experiences and justice claims, as well as the intervention of international actors, the book invites us to rethink how communities around the world experience war, how justice claims are formed, and how the political economy shapes these claims and people’s ability to mobilise for them.

**From Transitional to Socioeconomic Justice**

Over the past decade, scholars have begun to grapple with the question of how we can conceptualise and achieve social and economic justice for societies in transition.[[5]](#footnote-5) This move was part of a broader attempt at remedying the shortcomings of legalistic approaches to transitional justice (see McEvoy 2007; Nagy, 2008; Andrieu 2010), which, especially from the 1990s, had been often pursued through war crimes trials, and as part of peacebuilding interventions or attempts at establishing the rule of law.[[6]](#footnote-6) Other ways of dealing with the past, including truth commissions, reparations, community-based reconciliation initiatives, or institutional reforms are also common but haven often taken second place. In the former Yugoslavia, for instance, the international community relied heavily on the ICTY and domestic courts.[[7]](#footnote-7) This reliance on trials has, however, produced a ‘deep disjunction’ between the kind of transitional justice that is done in courtrooms, mostly initiated by Western actors and populated by Western experts, and ‘justice that is embedded in communities’ (Andrieu 2010, 554).

Thus, the debate on the socioeconomic dimension of transitional justice developed from the growing awareness that an approach too focused on criminal justice could not deal with the whole universe of consequences of mass crimes. While transitional justice had traditionally dealt with economic compensation for having suffered crimes that are not socioeconomic in nature, the discussion among scholars and practitioners is now shifting towards addressing directly socioeconomic violence and socioeconomic rights. But what do we mean by socioeconomic violence, and socioeconomic justice? How do we actually define the socioeconomic dimension of transitional justice? Traditionally, socioeconomic justice has been understood as the type of *remedy* proposed, that is, as economic or material compensation for a crime or injustice that was not necessarily economic. This is the understanding underpinning the practice of reparations, defined as ‘compensation, usually of a material kind and often specifically monetary for some past wrong’ (Torpey 2003, 3), with the aim of recognising the harm suffered and promoting civic trust and solidarity (de Greiff 2006). Quite commonly, reparations are provided for crimes that involved direct or physical violence, as in the case of the Holocaust, or the internment of Japanese Americans during the Second World War. In transitional countries, reparations can be administered as part of a large scale payment programme, or awarded to individuals through the judicial system (de Greiff 2006; Posner and Vermeule 2003). They constitute an important part of peacebuilding programmes (Firchow and Mac Ginty 2013), and can be understood as forward-looking, emancipatory measures insofar as they support social transformation in the future, in addition to commemorating the past.[[8]](#footnote-8) While pointing at the importance of socioeconomic issues for transitional justice, this approach is limited by its focus on remedies rather than on the kind of injustice that should be redressed.

A more promising route has gone in the direction of defining socioeconomic justice in terms of the *nature* of violations and crimes committed during war. Authors in this tradition have commonly complained that socioeconomic rights have taken second place in post-conflict justice efforts, despite their relevance for the population affected. Even within this group, views diverge substantially as to what kind of socioeconomic crimes or violence we should focus on. Some authors argue for focusing on established socioeconomic rights (Arbour 2007; Szoke-Burke 2015) or the even more restrictive ‘subsistence harms’ (Sankey 2014).[[9]](#footnote-9) However, a rights-based approach risks reproducing the hierarchies of the human rights system, where social and economic rights have subordinate status and weaker enforcement mechanisms compared to civil and political rights - and doing so at a time when the human rights system is increasingly seen as in crisis, or as ‘not enough’.[[10]](#footnote-10) Others favour a more systemic approach to socioeconomic violence and injustice, more sensitive to the economic root causes of conflict and to long-term processes of economic subordination or marginalisation (Miller 2008; Sharp 2012 and 2014; Laplante 2014; Mullen 2015; Evans 2016; McGill 2017). This book takes this focus on socioeconomic violence and injustice as its starting point, but highlights two further issues.

First, while understanding socioeconomic justice as something more than reparations definitely goes in the right direction, we are still left wondering what kind of socioeconomic injustices are felt, on the ground, during wartime, and what type of redress they call for. There is in fact a great need for research into how conflict-affected communities perceive and understand socioeconomic violence, and how these experiences relate not only to other dimensions of the conflict, but also to the broader processes of social transformation that post-war countries undertake.[[11]](#footnote-11) No study to date has addressed these questions comprehensively.[[12]](#footnote-12)

Second, and following from the previous point, debates on socioeconomic issues have brought transitional justice concerns much closer to ongoing debates on human rights and social justice.[[13]](#footnote-13) The book’s conceptual framework and methodological approach thus reflect an engagement with the work of authors studying justice and human rights as a social practice, where the experiences and claims of communities are put at the centre of scholarly inquiry.[[14]](#footnote-14) While many socio-legal scholars share a concern for the local interpretations and reverberations of international law and norms,[[15]](#footnote-15) and in the absence of established frameworks for understanding socioeconomic (in)justice in transitional societies, this book conceptualises socioeconomic justice as emerging from conflict-affected communities themselves. Therefore, this book advances these discussions by improving our understanding of socioeconomic violence in war, exploring how this is experienced on the ground, and how it is related to social justice struggles. It engages with the temporal dimension of violence and (in)justice, with the aim of highlighting the continuity between war and post-war experiences, as well as their long-term effects beyond the ‘transitional’ phase.

**Linking Socioeconomic Justice and Political Economy**

Too often research on wartime violence and post-war justice has been isolated from the analysis of the exploitative and predatory dynamics that constitute the political economy of conflict.[[16]](#footnote-16) To address this issue, this book connects socioeconomic justice and transformations in the political economy, showing how, on the one hand, a political economy approach to justice issues brings to light the pervasive nature of socioeconomic violence and justice claims, and, on the other, a justice perspective on political economy is necessary to tease out the effects of internationally-sponsored economic reforms on conflict-affected communities.

The Bosnian protests mentioned in the opening of this chapter make it very clear that citizens’ claims contested a form of violence that is embedded in the political economy of conflict and post-conflict interventions, which had to do with material destruction, dispossession, and socioeconomic marginalisation. While being key components of the political economy of the Bosnian War, these issues are usually not studied as part of people’s wartime experiences. Therefore, a political economy approach allows us to see wartime violence as encompassing more than direct, physical violence, to include experiences of *socioeconomic* violence. Feminist political economists have been among those who most explicitly highlighted the value of this approach: Jacqui True (2012, 7-8), for instance, argues that – in the study of gender-based violence – political economy has the advantage of addressing the connections between local and global contexts of violence, and of emphasising that violence has a structural dimension, which is linked to power relations that govern the distribution of resources. Moreover, this book broadens our understanding of violence beyond what is usually considered in post-war justice research, and it does so on the basis of people’s wartime experiences rather than pre-established legal categories.

At the same time, the book contributes to debates in political economy that risk remaining stuck in the critique of economic interventions in post-war contexts. Whereas political economists may criticise neoliberal reforms because of their harmful effects in terms of creating aid dependency, the lack of sustainable FDI, corruption, unemployment and underemployment,[[17]](#footnote-17) a justice approach to political economy emphasises the reforms’ inadequacy due to their oversight of experiences of violence and justice claims that these reforms are making impossible to address. A justice approach puts communities affected by conflict, not markets, at the centre of an analysis that is about fairness or justice as much as it is about economic outcomes. In adopting a justice perspective to political economy, the book thus takes temporality and the past seriously, as without these it would be impossible to make sense of the conditions that shape people’s justice claims.

Lastly, linking socioeconomic justice and political economy also entails taking a specific outlook on the analysis of interventions carried out by international actors. In the Bosnian case, as in other transitional countries with extensive international presence, these interventions were far-reaching and entailed issues as varied as (re)building state authorities, establishing market economies and institutions, and supporting peace and justice processes at the institutional and community levels. Understanding justice issues as embedded within political economies, while also analysing political economies through a justice lens, means looking at the role of specific international actors from both these angles. First, justice interventions are analysed as they contributed to delimiting what ‘justice’ means, how it is to be achieved and by whom. In the Bosnian case, they were performed by the ICTY, but also at other agencies, such as UNDP (UN Development Programme), the OSCE (Organisation for Security and Cooperation in Europe), Office of the High Representative (OHR) and others. Second, the role of economic actors, who promote reform agendas that have specific effects on people’s ability to push forward socioeconomic justice claims, is addressed. In Bosnia, International Financial Institutions (IFIs) such as the International Monetary Fund (IMF) and the World Bank collaborated with the European Union (EU) and other international agencies, including the OHR with its intervention powers.[[18]](#footnote-18) The combined justice-and-political economy approach of this book helps us diagnose the discrete but overlapping shortcomings of international interventions in a way that goes beyond mere economic outcomes, addresses the importance of past experiences of violence and injustice for political-economic transformations, and explicitly links the socioeconomic dimensions of violence to the justice implications of economic reforms.

**Why Socioeconomic Justice in Bosnia?**

The two interlinked questions orienting this book are: *what is the role of socioeconomic justice and injustice in war and transition, and how do post-war societies deal with the legacy of socioeconomic violence?* The book challenges established assumptions on the meaning of justice in transitional societies, and points at the importance of socioeconomic issues that are traditionally marginalised by conventional approaches to transitional justice. For this purpose, it examines how local communities *experience socioeconomic injustice,* and how they *develop conceptions of justice* as a result of specific experiences of socioeconomic justice. Moreover, the book pushes the boundaries of post-war justice research in new directions, by bringing to the surface the connections between overlapping political and economic transitions, and the role of international actors in these processes. Thus, one of the aims of the book is to *identify how international actors can affect socioeconomic justice issues in transitional contexts.* Lastly, in this context of international intervention and post-war/post-socialist transition, the book examines *whether and how socioeconomic justice claims can lead to social mobilisation* at the grassroots level.

At first sight, the case of Bosnia and Herzegovina may seem an unlikely candidate for a study focused on socioeconomic, rather than ethnic violence. In becoming a paradigmatic example of ‘new wars’ of the post-Cold War period (Kaldor 2013), the Bosnian War turned into an important case for understanding the peak and then failure of liberal internationalism,[[19]](#footnote-19) as well as a test case for the operation of transitional justice mechanisms and their effects (Dragović-Soso and Gordy 2010). However, it is precisely because the Bosnian War has been so commonly described as an ‘ethnic conflict’, a characterisation that has profoundly affected international policies both during the war and in its aftermath, that this book focuses on this specific case to discuss socioeconomic violence and socioeconomic justice claims. Demonstrating the importance of socioeconomic justice in a war that is usually considered a bitter conflict over ethnicity and national identity can strengthen the argument for the relevance of socioeconomic violence and socioeconomic justice issues in transitional contexts. Questioning simplistic representations centred on the intractability of interethnic relations, this book turns Bosnia into an important test case for the study of socioeconomic (in)justice well beyond the Balkans.

What characterised Bosnia and the former Yugoslavia was also the overlap between the post-war process of peacebuilding and the transition from socialism to market economy, which was also occurring in Eastern Europe and the former Soviet Union.[[20]](#footnote-20) The process of post-war reconstruction was conducted under international pressures to liberalise the economy, and the effects of these reform efforts were undoubtedly mediated by the dire economic, institutional, and social state of the country at the end of the war (Lavigne 1995; Pugh 2002; Donais 2005). If seen from the perspective of Bosnian people, wartime violence, socioeconomic changes, and post-war reform were overlapping and intersecting processes. However, somewhat problematically and with few exceptions, the scholarship has kept separated the analysis of post-war Bosnia from that of post-socialist Bosnia, with the former receiving more attention than the latter.[[21]](#footnote-21) In other words, the consequences of the war and post-war justice issues are analytically disjoined from the institutional and economic reforms which normally characterise transitions from socialism to market economy and liberal democracy.

Not only is this artificial separation problematic for the Bosnian case, but it also conceals the connections between different aspects of transitions - towards peace, a market economy, liberal democracy, a different form of state, and so on. It is precisely the intersection of these phenomena that makes Bosnia and Herzegovina an excellent point of departure for understanding the importance of socioeconomic violence in war and transition.

Two further points should be highlighted here before spelling out the argument of the book. First, while emphasising the importance of socioeconomic issues, the book does not question the value of other transitional justice endeavours, such as establishing individual criminal accountability and processes of truth-finding related to war crimes, crimes against humanity, or genocide. In fact, socioeconomic and other forms of violence overlap and intersect, as the rest of the book will show. Second, the focus on justice processes that occur at the margins of official ones has the methodological implication of directing the research towards communities that have remained out of the spotlight so far. Therefore, the analysis of wartime experiences and of the development of justice claims is conducted through the in-depth study of one city where interethnic violence was a prominent feature of the conflict (Prijedor, in Republika Srpska) and one where it was not (Zenica, in the Federation of Bosnia and Herzegovina). Despite their common industrial background and history during socialist times, Prijedor came under Bosnian Serb control in 1992, and a campaign of ethnic cleansing followed which led most Muslims and Croats to flee the town, while Zenica remained under Bosniak control during the war, and did not experience systematic crimes along ethnic lines to the same extent. In each city, I approached communities that are often defined as the ‘constituents’ or ‘owners’ of peace and justice processes, but whose perspectives are still often marginalised, such as former workers and common citizens not affiliated with victims’ associations or civil society organisations. Similarly, researching social mobilisation linked to socioeconomic injustice required expanding the research to a network of grassroots groups emerged during the 2014 protests, as opposed to the frequently researched NGO sector.[[22]](#footnote-22) As discussed in detail in the methodological appendix, research for this book was conducted through multiple fieldtrips between 2013 and 2016, and relies on about 80 in-depth interviews, in addition to direct observation at protests, activist meetings, and other social events, as well as countless informal conversations and documents (from international organisations, NGOs, local organisations and activists) in Bosnian/Croatian/Serbian and English.

**The Case for Socioeconomic Justice**

Socioeconomic justice matters. This is what the book argues, by examining experiences of socioeconomic violence in war, conceptions of justice and justice claims deriving from them, and resulting instances of social mobilisation. In doing so, it reconfigures justice as a contested concept and practice, while also taking into account the interventions of international actors in the spheres of justice and political economy. While scholars debate if and how socioeconomic issues should be part of transitional justice, in practice transitional justice programmes have often been limited by a narrow understanding of socioeconomic justice as the type of remedy offered for violations that are not defined as socioeconomic, such as physical violence and ethnic cleansing. Moreover, economic reforms in transitional societies, which prioritise the liberalisation of markets and their integration into the global economy, often make the pursuit of socioeconomic justice difficult at best, and impossible at worst.

The case for taking socioeconomic justice seriously is strengthened by evidence that experiences of socioeconomic violence are common during the war. Dismissal from work, social exclusion and deprivation play an important role in local narratives of wartime violence, where war-related experiences are contrasted with memories of the socialist past. The book also argues for a more nuanced understanding of wartime violence, finding that Bosnian communities experienced socioeconomic forms of injustice alongside inter-ethnic violence and war crimes. This is most visible in the case of Prijedor, where socioeconomic violence was the first step towards the ethnic cleansing of the city from non-Serbs. The case of Zenica, on the other hand, demonstrates the wide-reaching repercussions of socioeconomic violence as the city went through the war and transition, evolving into environmental injustice and a loss of multi-ethnic working-class identity.

Therefore, it is not surprising that conceptions of justice and justice claims include a strong socioeconomic component, formed through memories of the pre-war situation as well as multifaceted experiences of wartime violence. That communities affected by conflict express socioeconomic justice claims is something that international actors promoting peace and stability in transitional societies cannot overlook: however, the justice and economic programmes they promote have too often distorted or constrained such justice claims. For instance, in the case of Prijedor, where socioeconomic injustice overlapped with interethnic violence, justice claims can be related to the internationally-sponsored transitional justice measures that criminalised ethnic cleansing and promoted measures to redress it, but only partially so, as socioeconomic injustice remains unaddressed. The case of Zenica, besides corroborating the claim that dominant transitional justice discourses fail to capture experiences of socioeconomic violence, is also illustrative of how economic reforms promoted by IFIs, the US and EU, such as privatisations or cuts to social welfare, working alongside these justice measures, can lead to a significant neglect of socioeconomic justice.

There is, however, space for developing alternative, and more transformative, conceptions of justice as redistribution, which can lead (and have lead) to social mobilisation for social justice. The book emphasises the importance of temporality and of unsettled and persisting socioeconomic injustice, not only in the immediate post-war period, but also for instances of social mobilisation – such as the 2014 Bosnian protests – occurring almost twenty years after the war. In fact, socioeconomic justice here is understood as bridging attempts at dealing with the legacies of mass violence (doing ‘transitional’ justice) to broader struggles for social justice that build on, but overcome, these transitional conditions. The claims put forward by protesters taking the streets across Bosnia can indeed be traced back to wartime socioeconomic violence and its legacies, but they were also expanded in scope, to address the underlying and chronic shortcomings of Bosnia’s institutional, political and economic system. Lastly, the protests demonstrate that ‘transitional justice activism’ that is usually relegated to the realm of NGOs and victim groups ought to be understood as a grassroots process and practice, while also warning against the underestimation of the past as a catalyst for social mobilisation.

The book makes three key contributions to our understanding of socioeconomic justice, justice struggles, and the workings of international interventions. First, the book demonstrates the relevance of socioeconomic violence in war (and thus the importance of dealing with its consequences), and provides a new conceptualisation of socioeconomic justice. Throughout the following chapters, I reflect on the thread connecting socioeconomic violence during war, post-war justice claims, and the role of the political economy of war and transition in entrenching injustice. This kind of research, especially when grounded in first-hand evidence from conflict-affected communities, is still scarce and strongly needed.[[23]](#footnote-23) Therefore, by demonstrating the importance of socioeconomic violence, the book makes an important contribution to debates where the relevance of socioeconomic issues for transitional justice has been questioned. However, the book does more than just advancing transitional justice debates on the socioeconomic dimension of transitional justice: given the increasing questioning of the transitional paradigm,[[24]](#footnote-24) this research provides a way to link justice to be done in the aftermath of mass violence to broader conceptions of justice, and to social justice in particular. This is because socioeconomic injustice, in the aftermath of violence, becomes entrenched in society and – with time - can give rise to forms of social mobilisation that draw from, but transcend, grievances linked to the past, and turn into social justice struggles. This contribution is thus significant not only for scholars studying how countries deal with the legacies of mass violence, but also for those studying the origins and trajectories of human rights and social justice movements.

Second, and following from the previous point, the book also redefines justice processes as characterised by contestation and social mobilisation, involving struggles over who is considered the bearer of justice claims, and how these claims are put forward in processes of public deliberation. This indicates that studies of transitional justice in the aftermath of mass violence should shift their focus towards grassroots activism and practices, memories, and claims that are rooted among communities, and away from official institutions and mechanisms - especially when addressing socioeconomic concerns that have been traditionally marginalised by such mechanisms. At the same time, the study of mobilisations such as the 2014 protests connects transitional justice activism and social justice mobilisation, thus suggesting the usefulness of tracing back claims to originating experiences of wartime violence and injustice protracted in time.

Third, the book bridges the gap between the study of justice issues and political economy in intervention contexts, providing an original perspective on the intervention of international actors and their role in marginalising and misunderstanding socioeconomic justice. On the one hand, I argue that international justice initiatives do not comprehend and address socioeconomic justice claims developing from local experiences of the war. This suggests that transitional justice scholars need to engage more seriously with the political economy of conflict and its aftermath. On the other, the book demonstrates the importance of analysing internationally-sponsored economic reforms from a justice perspective for understanding their clash with people’s justice claims and expectations, thus highlighting the importance of grounding the study of political economies in the lived experiences of war and transitions.

**Outline of the Book**

Following this introduction, Chapter 2 addresses the problem of theorising socioeconomic justice. It takes stock of the contribution of recent debates on transformative justice, and draws on the work of Nancy Fraser and scholars studying the practice of human rights and international justice ‘from below’,[[25]](#footnote-25) to redefine socioeconomic justice in war-affected contexts and highlight the need to put experiences of wartime violence at the centre of our understanding of justice claims. Socioeconomic justice is also defined as having a peculiar temporal dimension shaped by the conditions and constraints that the past brings to bear on the present, and understood as a process where both the content and the deliberation of justice claims are inherently contested. Lastly, Chapter 2 conceptualises the intervention of international actors on justice issues and political economy in delimiting the boundaries through which justice claims are understood and adjudicated.

Chapter 3 addresses the political economy of war and other transitional conditions that set the stage for socioeconomic violence during war and the development of socioeconomic justice claims, which are discussed in chapters 5-7 of the book. It analyses Bosnia’s post-war and post-socialist condition, and highlights the importance of temporality, and people’s engagements with the past, for understanding them. The chapter traces the development of socioeconomic injustice through the collapse of Yugoslavia, the political economy of the conflict, and the establishment of the post-war political and institutional system. In doing this, it also shows the crucial role played by international actors in supporting and legitimising the post-war political order. Chapter 4 moves a step further, linking political economy and justice. The argument advanced here is that any pursuit of socioeconomic justice in a transitional context would be limited by both a narrow conception of ‘justice’ in transitional justice programmes and economic reforms whose priorities and aims are formulated without regard for justice considerations, even in the aftermath of a destructive conflict. The chapter thus analyses transitional justice interventions with a socioeconomic dimension (such as return programmes and reparations), as well as economic and social reforms in the fields of labour laws, privatisations, and macroeconomic policies. Chapter 4 demonstrates the value of an approach that combines political economy and justice frameworks.

The following chapter examines socioeconomic violence and injustice during the Bosnian War and provides compelling evidence of its relevance from the perspective the war-affected communities of Prijedor and Zenica. It argues that experiences of socioeconomic violence were rooted in the political economy of the war, and further aggravated by their memories of the socialist past and the dire conditions of the post-war and post-socialist transition. While they had different experiences of the war, socioeconomic violence was incredibly pervasive in both communities. The accounts provided by research participants offer a vivid picture of the various ways in which different forms of injustice, exclusion and marginalisation can overlap in the lived experience of conflict. Chapter 6 answers the question of how conflict-affected communities develop conceptions of justice (what post-war justice means to local communities), and strategies to redress injustice/achieve justice (the type of claims put forward by individuals of groups). The chapter builds on the idea, presented earlier in the book, that conceptions of justice are not fixed, but continuously reshaped and negotiated. The comparison of Prijedor and Zenica illustrates how experiences of injustice can be translated into different types of justice claims depending on the constraints placed on them – often stemming from internationally-sponsored justice interventions and economic reforms. Chapter 7 shows how socioeconomic injustice becoming entrenched after conflict can act as a catalyst for social mobilisation It focuses on the 2014 Bosnian protests, and explores the claims and slogans of the protests to trace a connection between these and wartime violence (and its continuation during the transition). By looking at the modes of participation and organisation that characterised the protests, it also shows how contestation and grassroots activism form an important part of post-war justice processes. Lastly, the chapter further illustrates how recent economic reform agendas continue to struggle making sense of socioeconomic issues as justice issues.

In addition to summarising the findings and contribution of the book, the Conclusion elaborates on three themes or issues emerging from the book. First, it calls for rethinking the meaning of justice for societies in transition in a more comprehensive way, in order to make it meaningful for the affected communities. Secondly, it prompts us to reconsider the role and accountability of international actors in post-war contexts, including large private companies involved in the transformation of the country’s political economy. Finally and based on this, the Conclusion also invites to reflect on what a better justice process would (and could) look like, assessing the long-term lessons of the Yugoslav conflicts in light of other transitions and justice processes around the globe.

1. The Dayton Peace Agreement (General Framework for Peace Agreement, GFPA), signed in 1995, established Bosnia and Herzegovina as a state composed of two entities: the Federation of Bosnia and Herzegovina (FBiH), inhabited by a majority of Bosnian Muslims (or Bosniaks) and Croats, and Republika Srpska (RS), with a majority of Bosnian Serb citizens, and the Brčko District, which remained under international supervision. The Federation is further divided into ten cantons, while Republika Srpska has a centralised system. See Chapter 3 for more on Bosnia’s institutional setup. [↑](#footnote-ref-1)
2. The International Criminal Tribunal for the former Yugoslavia (ICTY) was established in 1993 through UN Security Council Resolution 827. In 1994, following very similar procedures, the UNSC established the International Criminal Tribunal for Rwanda (Resolution 955/1994). See UN Security Council Resolutions S/RES/827 (1993) on the ICTY and S/RES/955 (1994) on the ICTR. These crimes also convinced many of the necessity of establishing an International Criminal Court (see the Rome Statute of the International Criminal Court, 17 July 1998; A/CONF.183/9). For an overview of the ICTY and its functioning see Williams and Scharf (2002) and Kerr (2004). [↑](#footnote-ref-2)
3. The Bosnian Constitution, included as Annex 4 of the Dayton Peace Agreement, recognises Bosniaks, Croats and Serbs as the Republic’s ‘constituent people’ among which power-sharing arrangements are set up – an arrangement that excludes ethnic minorities, such as the Roma and Jew communities. [↑](#footnote-ref-3)
4. See for instance Carranza (2008) and Evans (2016) on South Africa, Pasipanodya (2008) and Robins (2011) on Nepal, Mahony and Sooka (2015) and Martin (2016) on Sierra Leone, and Michalowski et al. (2018) on Colombia. [↑](#footnote-ref-4)
5. Louise Arbour, former ICTY prosecutor and UN High Commissioner for Human Rights, framed the debate in these terms in a speech given at NYU in 2006, and then published as ‘Economic and Social Justice for Societies in Transition’ in the *NYU Journal of Law and Politics* (see Arbour 2007). [↑](#footnote-ref-5)
6. Teitel (2003, 69) defines transitional justice as ‘the conception of justice associated with periods of political change’. She acknowledged that legal approaches have become dominant in this field. For other definitions and account of the origins of transitional justice see Elster (2004, 1), Roht-Arriaza (2006, 2), Hayner (2011, 8). [↑](#footnote-ref-6)
7. It is especially through judicial institutions that transitional justice has extended its reach globally over the past few decades, especially with the establishment of the International Criminal Court (ICC) (Schabas 2011; Bosco 2014), but also with the use of other international and domestic courts for transitional justice purposes, to seek state and individual accountability for genocide, or reparations (Cassese 2007; Nettelfield 2010; de Vlaming and Clark 2014). [↑](#footnote-ref-7)
8. For a discussion of the forward-looking dimension of reparations see Torpey (2003). See also Brett and Malagon (2013), and especially Lambourne (2009, 28-29) on the transformative justice model, which ‘incorporates the various elements of justice that relate to financial or other material compensation, restitution, or reparation for past violations or crimes (historical justice) and distributive justice in the future (prospective justice).’ [↑](#footnote-ref-8)
9. Subsistence harms are defined as ‘deprivations of the physical, mental and social needs of human subsistence, perpetrated against individuals or populations in situations of armed conflict or as an act of political repression, where the perpetrator acts with intent or with knowledge of the inevitable consequences of such deprivations’ (Sankey 2014, 122). [↑](#footnote-ref-9)
10. See Hopgood (2013a), Moyn (2018). [↑](#footnote-ref-10)
11. The scholarship has advanced arguments about the potential negative effects of marginalising the socioeconomic dimension of transitional justice (Chinkin 2009, Waldorf 2012), or about what mechanisms might be best placed to address it (Arbour 2007; Sankey 2014; García-Godos 2013), but substantial empirical research on these issues is still needed. [↑](#footnote-ref-11)
12. Moreover, the former Yugoslav region has been remarkably absent from debates on the socioeconomic dimension of transitional justice more in general. [↑](#footnote-ref-12)
13. The relationship between human rights and social justice will be further discussed in Chapter 2. [↑](#footnote-ref-13)
14. Drawing especially on Merry (2006), Dembour and Kelly (2007), Goodale and Merry (2007). Chapter 2 will discuss this in more detail. [↑](#footnote-ref-14)
15. See especially Merry (2006). [↑](#footnote-ref-15)
16. Pugh and Cooper (2004, 8-9) define ‘combat economies’ to include both exploitative elements (‘the capture of control over production and economic resources to sustain a conflict’) and predatory ones (‘economic strategies of war aimed at the disempowerment of specific groups’). [↑](#footnote-ref-16)
17. Among others, see critiques along these lines on the Bosnian case (Donais 2005), Sri Lanka (Goodhand and Walton 2009), Sierra Leone (Millar 2016), and more generally individual chapters in Pugh, Cooper and Turner (2008), and feminist perspectives from True (2012), Duncanson (2016). [↑](#footnote-ref-17)
18. In addition to coordinating the activities of other international organisations in Bosnia, the High Representative can also intervene directly to change legislation under certain circumstances. [↑](#footnote-ref-18)
19. First, peacebuilding was singled out for giving primacy to the international community and its prerogatives in promoting liberal democracy and market economy in post-conflict countries regardless of local conditions and preferences (Paris 1997). Such assumptions and the resulting subordination of local concerns and agency were heavily criticised (Autesserre 2010; Campbell et al. 2011; Pugh 2011; Richmond 2011) and plans to increase ‘local ownership’ of peacebuilding processes drawn up (Donais 2009). Due to the way in which it was pursued through newly established tribunals and courts, transitional justice too came to be seen as a top-down effort that left little scope for local agency (Orentlicher 1991 and 2007; Sriram 2007; Lundy and McGovern 2008). Transitional justice conducted in institutions located away from post-conflict areas was also at risk of developing problems related to outreach and social perceptions among local constituencies (Gready 2005; Shaw and Waldorf 2010). [↑](#footnote-ref-19)
20. Although in the former Yugoslavia this had started before: see Woodward (1995a). On the East European regions, see Sachs (1990); Przeworski (1991); Linz and Stepan (1996); Stark and Bruszt (1998). [↑](#footnote-ref-20)
21. With some significant exceptions, see for instance: Jansen (2006, 2013, and 2015); Baker (2012). [↑](#footnote-ref-21)
22. Interviews were also conducted with international officials in Sarajevo, and with NGOs in Sarajevo, Zenica and Prijedor. See the methodological appendix of the book for a comprehensive discussion of the research design. [↑](#footnote-ref-22)
23. In doing so, the book addresses a recognised gap in the transitional justice literature, the lack of studies on conflict and post-conflict ecologies; see McAuliffe (2017a). [↑](#footnote-ref-23)
24. And given the call for shifting to a ‘transformative’ paradigm made by scholars who have criticised the ‘transitional’ dimension of transitional justice. See Lambourne (2009), Gready and Robins (2014). [↑](#footnote-ref-24)
25. On transformative justice see especially Lambourne (2009), Sharp (2012 and 2015), Gready and Robins (2014). See Fraser (1995, 1997, 2003, 2009). [↑](#footnote-ref-25)