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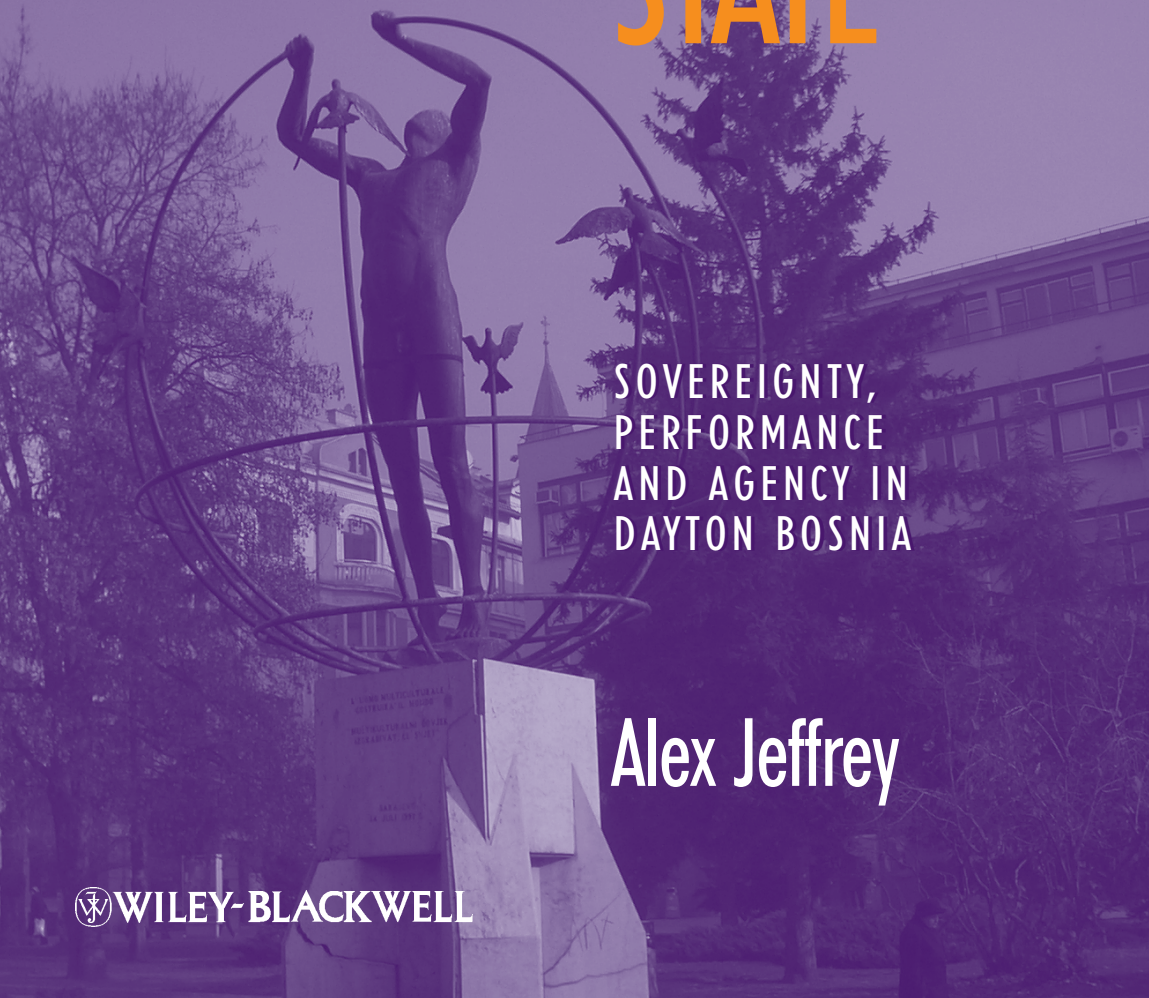

## SOVEREIGNTY, PERFORMANCE AND AGENCY IN DAYTON BOSNIA

Alex Jeffrey

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The Improvised State

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# The Improvised State

## *Sovereignty, Performance and Agency in Dayton Bosnia*

Alex Jeffrey

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*Dedicated to the memory of*
*Ellie Maxwell (1977–2009)*

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# Series Editors' Preface

The RGS-IBG Book Series only publishes work of the highest international standing. Its emphasis is on distinctive new developments in human and physical geography, although it is also open to contributions from cognate disciplines whose interests overlap with those of geographers. The Series places strong emphasis on theoretically informed and empirically strong texts. Reflecting the vibrant and diverse theoretical and empirical agendas that characterize the contemporary discipline, contributions are expected to inform, challenge and stimulate the reader. Overall, the RGS-IBG Book Series seeks to promote scholarly publications that leave an intellectual mark and change the way readers think about particular issues, methods or theories.

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# Abbreviations

| | |
|---|---|
| ARBiH | *Armija Republike Bosne i Hercegovine* (Army of the Bosnian Republic) |
| BiH | Bosnia and Herzegovina |
| CBiH | The Court of Bosnia and Herzegovina |
| CCI | *Centri civilnih inicijativa* (Centre for Civil Initiative) |
| CSN | Court Support Network |
| DMT | District Management Team (in Brčko District) |
| DP | Displaced Person |
| EU | European Union |
| FRY | Federal Republic of Yugoslavia |
| GFAP | General Framework Agreement for Peace (Dayton Peace Accords) |
| GTZ | *Gesellschaft für Technische Zusammenarbeit* (German Technical Cooperation Agency) |
| ICG | International Crisis Group |
| ICTY | International Criminal Tribunal for the former Yugoslavia |
| IEBL | Inter-Entity Boundary Line |
| I-For | Implementation Force |
| IHC | International Housing Commission |
| IPTF | International Police Task Force |
| IRC | International Rescue Committee |
| JNA | *Jugoslovenska narodna armija* (Yugoslav People's Army) |
| MZ | *Mjesna zajednica* (local community association) |
| NATO | North Atlantic Treaty Organization |
| NGO | Non-Governmental Organization |
| OHR | Office of the High Representative |
| OSCE | Organization for Security and Co-operation in Europe |
| OZNa | *Odeljenje za zastitu narodna* (Department for the People's Defence) |
| PIC | Peace Implementation Council |
| RRTF | Return and Reconstruction Task Force |

| | |
|---|---|
| RS | *Republika Srpska* (sub-division of Bosnia and Herzegovina) |
| SDA | *Stranka demokratska akcije* (Party for Democratic Action) |
| SDP | *Socijaldemokratska partija Bosne i Hercegovine* (Social Democratic Party) |
| SDS | *Srpska demokratska stranka* (Serb Democratic Party) |
| S-For | Stabilization Force |
| SIDA | Swedish International Development Corporation Agency |
| SNSD | *Savez nezavisnih socijaldemokrata* (Alliance of Independent Social Democrats) |
| UN | United Nations |
| UNDP | United Nations Development Programme |
| UNHCR | United Nations High Commission for Refugees |
| USAID | United States Agency for International Development |
| USDA | United States Department for Agriculture |
| VOPP | Vance Owen Peace Plan |
| VRS | *Vojska Republike Srpske* (Army of Republika Srpska) |
| WCC | War Crimes Chamber |
| ZOS | Zone of Separation |

# Chapter One

# Introduction


**Figure 1** Palestinian chair at the United Nations
*Source*: © Stan Honda/AFP/Getty Images

New York, 23 September 2011. The head of the Palestinian Authority, Mahmoud Abbas, is seeking a vote at the United Nations on an application for Palestinian admission to the UN as a member state. In the build-up to the request for the vote, Palestinian activists have produced a chair as a symbol of the desire for a Palestinian seat at the General Assembly of the United Nations. In the preceding weeks the chair has toured the Middle

*The Improvised State: Sovereignty, Performance and Agency in Dayton Bosnia*, First Edition. Alex Jeffrey.

East and Europe, before taking pride of place at news conferences in New York in the lead-up to the vote. The symbolism is easy to grasp: the chair is covered in blue velour, marked with the UN olive branches encircling a symbol of another seat, on which the Palestinian Authority's flag is imprinted. Underneath these images are sewn the words 'Palestine's Right: A full membership in the United Nations'. But underpinning this stark imagery are two more subtle assumptions: the first, that desire for Palestinian statehood could be fulfilled through the recognition granted by UN membership. Membership would serve as a symbol of statehood, despite not necessarily changing the forms of authority or territorial control in the West Bank and Gaza. Indeed, youth activists in Ramallah in the West Bank were keen to distinguish between the 'emotional' nature of international recognition and the unchanging 'practical' everyday experience of militarized check points: settlement construction and inhibited freedom of movement (see BBC, 2011). But the second assumption is reflected in the symbolism of the seat itself. The claim to Palestinian statehood is not made solely in a speech to the General Assembly of the UN, but is rather symbolized through the creation of the seat. The act of producing the seat, and its tour through Europe and the Middle East, provide a chance to perform statehood, to ground the legitimacy and effect of the claim through repeated enactments of the securing of a UN seat. In this sense, performance is at the heart of attempts to convey state legitimacy. The design of the chair draws on audience expectations of a 'real' UN seat, primed as they would be to recognize the appropriate colours and symbolism for UN furniture.

States are improvised. Their legitimacy and ability to lay claim to rule rely on a capacity to perform their power. Such performances of the state are often spectacular: the pageantry of ambassadorial relations, the ceremony of opening parliament, the celebration of a military victory (see Bodnar, 1993; Marston, 1989; McConnell *et al.*, forthcoming; Navaro-Yashin, 2002). But more often they are prosaic: the modes of address and comportment at international borders, the use of headed paper to claim a missing tax return, the statutory warning advice on a bottle of wine (see Painter, 2006; Raento, 2006). As the claims to statehood of the Palestinian Authority attest, performances of the state are often more explicit where changes are desired in the existing inter-state system, where a particular political authority is seeking to assert or solidify a specific claim to the state. But alongside the use of performance lies a secondary part of this opening story: performances are structured by available resources. At first sight the creation of the seat appears to represent Palestinian subjection, where those excluded from formal state structures improvise their own version to illustrate the asymmetry of power relations (Scott, 1985). But the move to create a seat also illustrates the prevailing resources available to those seeking to contest the existing state system. In the case of the Palestinian Authority they drew on conventions of colour and imagery to lend legitimacy to the UN seat as a form of state symbolism. While they could not claim an 'official' seat,

the production of an 'unofficial seat' demonstrates the aspiration of state recognition. The focus on the UN underlines a wider public expectation of this institution as an arbiter of state legitimacy.

This book argues for an understanding of states as improvisations, where improvisation is conceived as a process that combines performance and resourcefulness. In order to make this argument the book explores the experience of state building in Bosnia and Herzegovina (or BiH[1]). This approach contributes to three areas of existing scholarship. First it develops recent work in the social sciences that has explored the state as an idea or process rather than a stable administrative entity (Abrams, 2006 [1988]; Jones, 2007; Mitchell, 1999; Painter, 2006; Trouillot, 2001). This work has orientated attention on the forms of social and cultural effects produced by the state, arguing that the state should be understood as a human accomplishment rather than the static backdrop to political life (Radcliffe, 2001). Building on this approach this book highlights the forms of agency through which state improvisations are performed, exploring how competing understandings of the state may coexist in everyday life.

Second, this argument contributes to understandings of the state in BiH. Rather than lamenting the 'failure' or 'weakness' of the state, it centres on the forms of practices produced by intensive international intervention since the signing of the Dayton General Framework Agreement for Peace (GFAP) in December 1995. David Campbell (1998a, 1999) provides a nuanced set of illustrations of the territorial, social and democratic consequences of the connection between identity and territory forged at Dayton. This book extends Campbell's analysis by exploring the ongoing political and spatial consequences of the GFAP. Analysis of the practices of the state illustrates the multiple institutions that have been enrolled in performing the state in BiH since 1995, including international agencies, domestic politicians, international non-governmental organizations (NGOs) and local civil society organizations. Rather than making a simple distinction between the power of international elites and the subordination of local political actors, this approach allows the analysis to explore the considerable entanglement of these groups. The theoretical framework of improvisation illuminates the multiple competing claims to state sovereignty that circulate in contemporary BiH. This approach contributes to recent work that has examined the geographically uneven nature of state effects following intervention in BiH, work that has explored refugee return (Toal and Dahlman, 2011), the state in everyday life (Bougarel *et al.*, 2007) and forms of criminal justice reform (Aitchison, 2011).

Third, by exploring the nature and consequences of international intervention in BiH this argument contributes to emerging work studying the production of geopolitical knowledge. Recent scholarship in the fields of critical and feminist geopolitics has looked beyond traditional preoccupations with textual analysis of policy statements to explore the forms of

practices and materials that produce geopolitical knowledge. From studies of boundary disputes in Central Asia (Megoran, 2006) through to the circulation of knowledge in the bureaucracy of the European Commission (Kuus, 2011), scholars are looking towards geopolitics as a form of social practice. Understanding the state as an improvisation encourages a reflection on such everyday and banal practices that shape popular understandings of geopolitics. Consequently this study draws on four periods of residential fieldwork, comprising methodologies of extended interviews and participant observation to illustrate state improvisation in BiH and document subsequent forms of political subjectivity.

Examining BiH as an improvised state thus contributes to state theory, understandings of intervention in BiH and methodologies of critical geopolitics. The following sections provide greater detail concerning how the book contributes to these three areas of scholarship, before a concluding section summarizes the book's chapter structure. What is shared across these areas of inquiry is a focus on the forms of political agency established through attempts to create and present a coherent BiH state. This is not an attempt to establish a new overarching theory of the state, or to resolve debates concerning the relative influence of structure or agency in understanding state power. Rather I am seeking to present the utility of improvisation as a means through which to illuminate the contingent and plural nature of state claims in BiH.

## 1.1 States, Performance and Improvisation

The state is politically and intellectually seductive. At its most basic level, the state is a mechanism for fixing political power to geographical space through establishment of sovereignty over territory. Politically, this is attractive as it provides a form of order that acts 'as if' different state regimes are comparable across both time and space. Intellectually, this has allowed scholars of international relations to theorize political relationships through this pre-given geographical framework. The state becomes the lens through which global political contestation may be analysed and understood. But the state seduces in other ways. It also conjures a notion of distinct and concrete administrative entities that act as the centre of political decision making within a given territory. This is most commonly expressed in the distinction between state and society. Separating state and society allows policy makers to express statecraft as distinct from the messy context of the society within which it is embedded. Instead it can be presented as a form of political logic that is driven by the state's privileged position 'above' the society it serves (Abrams, 2006 [1988]; Ferguson and Gupta, 2002; Sharma and Gupta, 2006). This form of state reasoning leads to the production of intricate technologies to rule a given society, through statistics, cartography

and infrastructure. Intellectually this has led to a wealth of studies attempting to understand the interplay between state and society, work that has sought to theorize how one shapes the other (see Painter, 2003).

What stands out in these imaginaries of the state is the act of seduction. The state is not a natural expression of political power; it is a human achievement of control. This achievement is reflected in prevailing definitions of state sovereignty. Take the most regularly cited: Weber's definition of the state as a 'human community that (successfully) claims the monopoly of legitimate use of physical force within a given territory' (Weber, 1958: 78). The human community, physical force and territory are all central components, but the achievement of statehood is granted through the more elusive notion of the conferment of legitimacy (see Bratsis, 2006: 14). The first act of seeking to understand this seductive power of the state is to de-naturalize it, to sever it from an image of pre-existing or inevitable political territorializations. Our assumptions about the state are themselves a reflection of the power of this mental category to shape our thinking and orientate the design of research (Bilgin and Morton, 2002; Jeffrey, 2009a). Over the last century scholars have sought to examine this act of seduction by turning attention to the forms of practices and processes that reproduce the idea of the state. It has been established within Marxist and, more recently, post-structural studies of the state that we need to look beyond the representation of coherence to uncover the subjective processes whereby the idea of the state is conveyed as a stable truth (see Poulantzas, 1978; Weber, 1998).

The book explores the improvised state through the example of international attempts to establish a state of BiH since 1995. I argue that since the signing of GFAP the BiH state has been improvised among a variety of actors operating across a range of spatial scales. The focus on improvisation reflects a wider adoption of this term across the social sciences and humanities, including musical performance (Berliner, 1994), business administration (Baker *et al.*, 2003), education (C. Jeffrey *et al.*, 2008) and constitutional reform (Garvey, 1971). As this work attests, the lens of improvisation highlights the 'doing' of social practice as it is worked through in everyday life. In order to illustrate the practice of the Bosnian state in the post-conflict era, I break down the lens of improvisation into its two constituent parts: *performance* and *resourcefulness*. Taking these two facets in turn, this argument contributes to recent scholarship within the social sciences that has explored the operation of institutions, individuals and identities as 'performed'. The language of performance influences the theoretical context of the book in two ways.

First, *The Improvised State* draws on anti-foundationalist feminist theory that has sought to undermine the stability of essential identities. Following Butler (1997), scholars have argued that gender is not a status but should more readily be understood as a set of performances that reify particular prevailing understandings and hierarchies of gendered identity. This anti-foundationalist lens

will provide a framework through which the reproduction of particular categories and assumptions may be understood in post-Dayton BiH. Performances of the 'international community' and 'nationalist politics' are explored as practices rather than expressions of essential identities. It will be shown that acting and speaking about BiH does not simply report reality but actively constitutes and reproduces political categories and territorializations.

Second, the language of performance has been adopted in strands of cultural geography which have identified the inadequacy of textual representation in conveying inter-subjective feelings. This scholarship has argued that performance highlights the embodied and enacted nature of social and political life which in many senses defies the closure of language and text. This has led some scholars to advocate non-representational theory that foregrounds affective responses to place and time (Anderson, 2006; Thrift, 2003). This work highlights performance as a dynamic set of processes conveyed through an assemblage of materials, apparatuses and milieus (Allen and Cochrane, 2007; Featherstone, 2008; McFarlane, 2009). Such debates concerning representation enrich understanding of international intervention by exploring the affective responses to attempts to establish new state practices, from despair at eviction from temporary accommodation to shared experiences of solidarity and hope at political rallies. The engagement with the concept of performance allows a more nuanced understanding of the social context in which statecraft is enacted and identifies spaces of resistance to dominant narratives of state building.

Understanding the state as a set of performances sheds light on the grounding of sovereignty claims in social and cultural practice, but it says rather less on the rationality that informs the selection of individual performances or how performances are contested and reshaped in everyday life. In order to explore these facets of state practice the book develops a second aspect of improvisation: resourcefulness. This aspect of improvisation is indebted to the structural anthropology of Claude Lévi-Strauss (1972), who through his study of belief systems coined the term *bricolage* to intimate the way in which non-Western societies make sense of the world through 'making do' with available social categories and symbols (see also Hebdige, 1979). This approach is rooted in a syntactic understanding of social forms as related through grammar relations, where society fits together 'like words in a sentence, to form a meaningful whole' (Garvey, 1971: 11). This structural approach has been criticized in recent years for underplaying individual agency and failing to account for forms of dominance and exploitation (Werbner, 1986). Acknowledging these criticisms and in order to adequately theorize the agency inherent in resourcefulness, I draw on the work of Pierre Bourdieu (1984, 1989) and in particular his economic metaphor of capital. This conceptualization of capital shares little with Marx's purely economic understanding of the term, and is instead used to illuminate scarcity across social, cultural and symbolic arenas (C. Jeffrey, 2001: 220;

Painter, 2000). For example, in contrast to developmental understandings of social capital as a form of 'societal glue', Bourdieu's work emphasizes the value placed on 'social connections' (Calhoun, 1993: 70) or 'group membership' (Bourdieu, 1987: 4). Similarly, Bourdieu recognized the accumulation of cultural capital in various forms of credentials, in particular in the arena of education (C. Jeffrey *et al.*, 2008). The concepts of social and cultural capital provide a language through which to explore the everyday performances and dispositions that reproduce class advantage. Applying this approach to the performance of the state enables the development of a framework through which certain understandings of sovereignty and space are imbued with value. Adopting a lens of improvisation unsettles the concept of the state as a stable backdrop to political life, and instead analysis shifts to the forms of practice, materials and imaginaries that convey particular understandings of the state.

## 1.2 Towards a Political Anthropology of the Bosnian State

The BiH state cannot be understood in isolation from the wider rise and fall of Yugoslavia. Neither can this narrative of consolidation and fragmentation be divorced from the prevailing geopolitical interests of other states and powerful agencies. This is not to argue for a form of historical determinism, nor to indulge in the misconception that current BiH politics necessarily requires an understanding of medieval enmities and allegiances. As discussed in Chapter Three, the scholar of BiH needs to assess competing historical claims carefully, grounded as they are in different conceptualizations of just outcomes in the present day. Rather, in order to understand BiH state building it is necessary to examine key moments in its history and in doing so explore how the state of Yugoslavia was made and unmade through deliberate actions that prioritized different understandings of group membership, political authority and territorial claims.

The first state of Yugoslavia, the Kingdom of Serbs, Croats and Slovenes, was established in 1918 through a union of Serbia and Montenegro with the South Slav lands of the former Austro-Hungarian Empire, principally the territories of Slovenia, Croatia, Bosnia and Montenegro (see Hoare, 2010). The unity of this state was undone by the violence of the Second World War, where loyalties fragmented between Croat Ustaše forces, supported by Nazi Germany, Serb-nationalist Četnik groups, loyal to the exiled King Aleksander, and Partisan forces seeking to retain a unified Southern Slav state. Over the course of the conflict Allied support transferred from Serb-nationalist to Partisan forces, in part contributing to the inauguration of their leader, Josep Broz 'Tito', as the President of Yugoslavia from 1947 to 1980. This period of rule was one of intense Yugoslav state consolidation, under the banner of '*bratsvo i jedinstvo*' ('brotherhood and unity'), where