Chapter 4

Enabling Civil Society in Security Sector Reconstruction

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Introduction

The end of the Cold War was followed by an immediate increase of civil unrest and internal conflicts in various regions of the world. The resulting humanitarian emergencies proved especially harmful to civilian non-combatants, and in some cases posed a threat to neighbouring states and regional stability and security. In response, the international community, usually although not always led by the United Nations (UN), began to intervene more frequently in fragile, conflict-ridden, and 'failed' states. With the waning of superpower confrontation, agreement was more easily reached on launching multilateral 'peace operations' or 'coalitions of the willing'. Many of these multilateral peace operations went far beyond traditional peacekeeping in the extent to which they sought to influence the internal affairs of the state and society following armed conflict and state collapse, and engaged in what has become known as 'peacebuilding' (see Chapter 1).

Civil society ostensibly has a key role to play in peacebuilding and post-conflict reconstruction, as it is considered a primary source of local ownership, legitimacy and sustainability of reforms of state and political institutions and socio-economic development in post-conflict settings.[1] More specifically with regard to the security sector, the involvement of civil society is considered a vital element in effective and accountable governance of security institutions, and in the long-term success of democratic reform efforts.[2] Yet, although inclusion of civil society is upheld as a norm of democratic governance, the actual role and influence of civil society in the post-conflict reconstruction of security institutions has received surprisingly little systematic attention and analysis.

This chapter examines the contribution that civil society can make to post-conflict peacebuilding, especially in reconstruction of the security sector, and what it has achieved in practice, looking specifically at the case of post-Dayton Bosnia and Herzegovina (henceforth Bosnia or BiH). The first section of this chapter sets out the concept of civil society and its relevance to the concept of security sector governance. Second, the chapter situates security sector reform and governance in the broader context of post-conflict peacebuilding processes. In the third section, the paper examines civil society involvement in security sector reconstruction during the international peacebuilding efforts in Bosnia. In the final section, the paper derives policy recommendations for the engagement of civil society in post-conflict reconstruction of the security sector as a key element of post-conflict peacebuilding. It ends by identifying which aspects of civil society's role in SSR and peacebuilding need to be further clarified through research and developed through concrete measures.

Civil Society and Security Sector Governance

The Concept of Civil Society

Civil society is a widely-used concept in discussions about governance, and its empowerment is often encouraged in development and democratisation circles.[3] However, the frequent evocation of civil society belies its essentially contested nature, which is the subject of continuing debate among sociologists, political scientists and philosophers. Conceptual differences revolve around whether civil society is separate from political society (political parties and other explicitly political actors) and from economic actors (business firms).[4] Lack of consensus on the precise definition of civil society also results from the differing ideologies and agendas of various groups promoting civil society and its development. Some use civil society as a synonym for the general public. Others use civil society in a normative fashion, focusing on its capacity to impart 'civic' values and behaviour, and its capacity to make states more accountable, such as through their capacity to monitor public bodies and private sector actors. Another view considers civil society as a means of fostering social participation and providing alternative forms of social governance. Still another perspective conceives of civil society as a locus of opposition to the state and a means of limiting state power.[5]

The definition of civil society adopted in this study is that of the intermediate associational realm that lies between the state and basic social units such as individuals and families. Through such voluntary associational groupings, which are both separate from and autonomous in relation to the state, members of society seek to protect or advance the interests or values around which those associations are based. Although commonly thought of as referring mainly to non-governmental organisations, civil society organisations (CSOs) may also include advocacy groups, interest groups, religious groups, professional associations, academic associations, women's groups, youth groups, sports groups, and any other form of voluntary associational groups. Civil society is by definition diverse, reflecting divisions and the multiple competing interests in wider society. Civil society organisations serve as channels for expressing these diverse and sometimes contradictory interests, priorities and grievances.

Civil society is often associated with pluralism, with the broad spectrum of views and opinions voiced in social and political dialogue, and the more comprehensive inclusion of the diversity of perspectives in governmental decision-making. According to this view, civil society may facilitate and open alternative channels for political participation of citizens, and help to move democracy beyond the formal, procedural participation embodied by elections. While democratic elections enable citizens to make general choices, such as the party or individual who will represent their views and govern them, elections are held years apart, leaving political accountability suspended often for years at a time. Some types of civil society actors can help to open up state power to outside influence, making government more accountable and enabling citizens to have greater input into the formulation and implementation of policy. Civil society organisations can create additional avenues for public participation in governance. Civil society is thus conceptualised as a space where societal diversity and pluralism can be expressed and public participation in governance enhanced.

However, it is important to recognise that mobilising, empowering and including more civil society organisations in governance activities will not necessarily lead to accommodation and the peaceful settlement of disputes or a harmonisation of conflicting priorities and interests. In practice, the broadening of political participation can result in more contentious politics as more groups of citizens become engaged in the pursuit of often conflicting interests. This may be especially marked in transitional states, where mechanisms for the settlement of disputes and for the enforcement of systemic rules, such as legal and judicial systems, are not well developed. Moreover, not all civil society actors espouse civic values and some civil society groups may instead be exclusionary and promote illiberal and undemocratic values or even intra-communal

conflict.[6] Certain groups in civil society may have an interest in maintaining poor state capacities in order for them to exploit and profit from the inability of the state to maintain control and public order. Such actors as mafia groups, warlord gangs, militias and paramilitary organisations have sometimes been referred to as 'uncivil society'.[7] Civil society, by the definition used above, comprises all of these groups, whether those that seek to monitor the state and hold it accountable, or those that express nationalist or extremist views. It is thus important to comprehend the context and constitutive elements of civil society in order to better understand the impact it may have on governance, democracy or peacebuilding.

Depending on the context, civil society can play a positive or negative role vis-à-vis democratisation and peacebuilding processes. Relevant factors include the influential actors in civil society, what agendas and interests those groups are espousing, how they relate to the local political, economic and social context, and which institutions and mechanisms exist to moderate conflicting and competing interests as expressed by civil society groups. Discussions of civil society in the policy and donor literature tend to be infused with a strong normative element, focusing on the potential for civil society to foster democracy, reconciliation and development. The potential for civil society to produce divisions or conflict is an often overlooked aspect, yet one which holds important implications for peacebuilding strategies.

Civil Society's Relevance to Security Sector Governance

Civil society has a potentially important role to play in good governance of the security sector.[8] First, in the articulation of their diverse interests and positions on issues relevant to security and the policies undertaken by the government to provide it, civil society organisations provide the reminder that society is inherently pluralist, and that democratic governments should take the broad diversity of views and interests into account when formulating policies 'in the public interest'. Civil society organisations are by definition supposed to be closely in touch with local populations, and therefore collectively representative of public interests and needs. More specifically, certain types of civil society organisations and independent journalists who have specialised expertise or represent the views of affected constituencies constitute another form of pluralism and represent civilian capacity to monitor government policy and the activities of state security institutions, to present alternative assessments of security issues and identify alternate policy options. Specialised think tanks, research institutes, policy studies institutes, and human rights organisations are able to serve as sources of independent expertise and analysis of legislation, policies and current events for the public, media and other members of government (as experts in parliamentary committees, the courts, as independent advisors to members of the executive). That is, they constitute a potential alternative source of information and analysis for policymakers and the public, in contrast to that provided by the state bureaucracy.

CSOs in the security sphere may also act as innovators, although informal barriers may exist as to how open the policy sphere is to alternative policy prescriptions to the accepted orthodoxy. Those that are able to critique knowledgeably, mobilise public opinion, and exert pressure on policymakers and opinion-leaders, can contribute to keeping a democratic government responsive and accountable. Their involvement in government policymaking processes can help to challenge the orthodoxy or institutional biases embraced by a government bureaucracy or political elite. Such specialised segments of civil society can also help to hold those government and security elites accountable.

Civil society organisations that seek to hold government and its direction of state agencies accountable on an issue or an area of activity must have a sufficient level of organisation, knowledge about a subject, and professionalism to systematically interact with and have an impact on the State. Yet at the same time, if they are truly to represent the interests and concerns of citizens, they must remain in touch with the grass roots level and continue to involve the local population and foster its support. The security domain presents distinct challenges with regard to

this requirement of being both professional and linked to local constituencies. In some fields, such as defence, intelligence and border management, the constituency that the NGO presumes to speak for is country-wide. And as an element of its professionalism, it may include retired military officers, former government high officials, academic experts and other individuals with highly specialised areas of expertise. Such profiles may facilitate their contacts with domestic political elites. However, without a conscious effort to communicate their views to local constituencies and to gain support from them for their ideas and programmes, security sector NGOs risk remaining essentially bodies of 'elite' civil society. As security policies typically, although not always, address issues at the international level, identifying the relevance for local constituencies is more challenging than in other policy issues that may have more immediate consequences for individuals, and thus which have greater potential to motivate and mobilise them.

Civil Society and Reconstructing the Security Sector in Post-Conflict Peacebuilding

Civil society has become increasingly recognised as having a potentially positive role to play in peacebuilding throughout the cycle of conflict, from providing early warning of growing social, economic or political grievances that may be leading to conflict, to conflict prevention, working in war zones to provide basic services which the state may be unable to provide, and facilitating peacebuilding, dialogue, justice processes, and reconciliation in post-conflict situations.[9]

Civil Society and Post-Conflict Peacebuilding

The growing recognition of civil society's role in post-conflict peacebuilding is reflected in a number of initiatives at the level of the UN and regional organisations. Multilateral NGOs are becoming increasingly integrated into formal dialogues, consultations and decisionmaking processes, and as a consequence exercising greater influence over the formulation and implementation of policies and the shape of public opinion. According to Kofi Annan, UN Secretary General, peacebuilding missions should seek to create a synergy with those civil society groups that are bridge-builders, truth-finders, watchdogs, human rights defenders, and agents of social protection and economic revitalisation. This can build reconciliation and lessen the appeal of those who might try to reignite conflict. It can help ensure that national and international actors are held accountable. It can assist in building national consensus on the design of post-conflict structures and programmes. It can help prepare local communities to receive back demobilised soldiers, refugees and internally displaced persons. And it can give a voice to the concerns of the marginalised.[10]And in his 2001 report on the Prevention of Armed Conflict, Annan underscored that 'the primary responsibility for conflict prevention rests with national Governments, with civil society playing an important role'.[11]

Several initiatives on the topic of UN reform have addressed the inclusion of civil society, although with mixed results. The Secretary General's High-Level Panel on Threats, Challenges and Change (hereinafter referred to as the High-Level Panel) reported on ways to improve the UN's responses to threats to international security, underscoring that states remain the 'front line responders' to insecurity.[12] The Panel of Eminent Persons on United Nations–Civil Society Relations**,** chaired by former Brazilian President Fernando Henrique Cardoso (known as the Cardoso Panel) produced a flawed and controversial report in June 2004 which was strongly criticised by a number of NGOs and delegations to the UN, who maintained that the report proposed changes that would weaken the role of NGOs.

The recognition of civil society's role in peacebuilding has also led to the elaboration of the concept of multi-track diplomacy, which holds that there are both official (governmental) and unofficial approaches to resolving interstate conflict. Yet, despite recent efforts to include more civil society actors in high-level policy consultations of international organisations, IFIs and states, NGOs and other civil society actors remain insufficiently involved.[13] Concerns exist that

public consultation processes with civil society that are aimed at gaining more legitimacy for the policies undertaken are more for show than substance, that these institutions continue to lack transparency and accountability, and that the concerns of CSOs are not adequately taken into account.[14]

One of the most fundamental dilemmas, however, is that a society just emerging from armed conflict is not likely to have many functioning civil society organisations. Civil society is often not given support by governments of fragile or post-conflict states, or worse, is actively suppressed. Facing deficits of capacity and legitimacy, such governments tend to perceive autonomous civil society organisations as potential challenges to their authority. Governments may also tend to perceive CSOs that provide services as competitors in terms of donor funding. Repressive and weak governments have sought to suppress civil society through various means; restrictive laws may be used. Similarly, controls over the media and severe punitive measures are used to silence journalists who may seek to expose corruption or abuse.

Local CSOs may also seek to satisfy donor requirements before those of their local constituencies and communities.[15] Western and international donors who set out explicit areas of interest or regional priorities contribute to this dynamic, and may limit in practice the ideas and agenda that local CSOs seek to advance or implement. The norms that they promote are not necessarily those of the local communities, and, if combined with an elite membership of such groups, can reinforce the disparity between the agenda they promote and the requirements, needs and culture of local communities.

For donors, one challenge is how to sponsor and support civil society organisations that might, over time, generate the trust, cooperation and capacities that enable them to play a more active and positive role in security sector governance. Unfortunately, there are many obstacles to civil society development. The experience in many post-conflict contexts has been that those civil society groups that emerge often tend become dependent on external donor funding, do not facilitate broader public participation in governance, reflect the agenda and priorities of the donor, and are in practice accountable to the donor while not representing the interests of the societal groups they claim to represent.

Civil Society and Security Sector Reconstruction

A civil society role in post-conflict reconstruction of the security sector centres on the involvement of local civil society groups and in making the decisionmaking processes as inclusive as possible. It is vital that the reconstruction process, if not driven by local actors, is determined in a way that takes into account the diversity of local preferences, rather than being imposed by the international community. However, as discussed below, one of the main characteristics of a fractured and fragile state is often the sheer weakness of civil society. In cases where there is a significant international presence, a weak state and a fractured society, such as in Bosnia, state-building from above tends to predominate.

It is necessary to identify the state context of civil society in order to delineate the contributions that civil society can make to security sector reconstruction and good governance of the security sector. That is, security sector reconstruction focuses primarily on state capacity to deliver public goods, such as security and public order. The role that CSOs can play depends to a large extent on the condition of the state itself – for example, is it a functioning state that exercises basic control over its territory, provides order and public goods, but experiences problems in effectiveness or oversight and is seeking to democratise its system of governance? Has the state collapsed and is unable to provide for the basic needs of its citizens? Or is the state, having emerged from violent conflict, being reconstituted? These three very different examples suggest very different roles for civil society.

In contexts where the state is largely intact and functioning, the role of civil society in security sector governance derives most clearly from its potential for independent monitoring,

analysis, support or criticism of government policies and the activities of security institutions, disseminating their findings to a broader public, raising public awareness, and pressuring government to respond to perceived problems, oversights, corruption or mismanagement. Civil society also serves for governments and parliaments as a source of independent expertise, for example, providing informed and expert commentary on draft legislation. Civil society also provides a potential staff pool for positions in government and security oversight bodies.

However, where the state is in crisis or has collapsed after violent conflict, these roles may be severely limited. A fundamental dilemma is that when there is no functioning state to provide a basic framework of stability and security and state institutions may not be functioning or providing even the most basic public goods and services to the population, civil society tends to atrophy. Numerous authors have noted that civil society depends on the existence of the state, and civil society's ability to contribute to the quality of governance is closely linked to the nature and condition of the state in which it exists: 'a functioning state that provides basic public order and security is a prerequisite for the existence of civil society'.[16] The outbreak of conflict and the breakdown of public order suggests that civil society has been weakened or has disappeared as people withdraw into the family and seek to meet the basic needs of themselves and other clusters of close acquaintances.

Where the state has collapsed, there is no government to monitor, pressure or lobby, and the CSO potential for oversight becomes irrelevant. Moreover, with the loss of governmental authority or capacity to maintain order, civil society often becomes a target of violence. Thus, civil society tends to atrophy under conditions of state failure. People may organise to provide security and other goods for themselves and their families that the state cannot provide, but they cannot afford to concern themselves with broader collective projects or the 'public good'. More seriously, groups that do emerge may seek to profit from the disorder and lack of state authority. Mafia groups, militias, or organised crime groups have vested interests in the perpetuation of the absence of state authority and capacity. This conundrum raises the issue of the role of external assistance and donor funding in post-conflict contexts, and how it might best be used to empower civil society while rebuilding state capacities.

In post-conflict situations, civil society can in theory play a role in reconstituting the state and society through provision of public goods. Posner has asserted that where the state has collapsed, the most likely role for civil society in governance is that of providing public goods and substituting for a state that cannot yet fully function.[17] Some analysts distinguish between formal political projects of international and local NGOs (recrafting political institutions and processes towards more democratic forms) with 'nonpolitical' reconstruction projects involving building or repairing housing and infrastructure, providing health, education and public services, and stimulating economic development such as through microcredit programmes. Involvement in such concrete projects is valued not only for compensating for insufficient state capacity and delivering services that citizens would not otherwise receive, but helping to diversifying sources of employment and resources. [18]

It can also be argued, however, that even such concrete reconstruction projects have political dimensions and consequences, although these may be less explicit than in formal political institution reform programmes. The potential for having political impact is also underscored by the participatory element that is frequently emphasised in construction projects – that is, the deliberate involvement of the local community in identifying needs for reconstruction, and participating in the planning and implementation of such projects. As Gagnon suggests:

> The most effective strategies for reconstructing and strengthening civil society have been those that focus on rebuilding communities by encouraging people to work together toward a tangible, common goal. Such a strategy facilitates a recreation of the organic bases on which any community is built and moves the focus of energy away from the national political scene (which was the focus of nationalists before and during the war) and toward the local and regional scene…[19]

Internationally sponsored reconstruction projects have increasingly striven to be participatory by giving individuals and communities a voice in the rebuilding of basic structures, building local capacities to manage those structures, and thereby have a role in their own socio-economic development.[20] Donors including the World Bank have also given support to promoting local-level involvement and participation in post-conflict reconstruction. The idea of 'community-driven reconstruction' (CDR) seeks to incorporate a local governance perspective through the involvement of local populations and institutions in project planning, execution and monitoring. CDR emphasises that the decisionmaking process is as important as the subsequent material outputs, and through its participatory and transparent nature, supports accountability, local ownership and reconciliation of post-conflict communities.[21]

However another dynamic that is increasingly common is the outsourcing of reconstruction and development projects to private companies. The widespread use of private contractors in the security sector reconstruction of Iraq is the most obvious example of this trend.[22] Criticism of the outsourcing of reconstruction and development stems from the different approaches and objectives supposedly pursued by international NGOs and private firms: whereas international NGOs seemingly pay particular attention to the process of involving the local community in all stages of the reconstruction project and hence are said to contribute to the development of local capacity, private firms are not seen as similarly process-oriented. This, again, is most amply demonstrated by the current practice in Iraq. The Iraq example also underscores that civil society actors, including international NGOs, which implement reconstruction programmes may reflect the interests and priorities of more powerful states and donors. As a result local interests may get less attention in the externally-funded reconstruction and development process, and the legitimacy of the reconstruction process may be undermined.[23]

Lessons from Bosnia and Herzegovina

Bosnia and Herzegovina (BiH) represents a key example of post-conflict peacebuilding by the international community, an endeavour characterised by a large international presence and external assistance that has channelled huge amounts of resources into rebuilding the political, economic and social infrastructure over the past 10 years. Bosnia is also noteworthy for the interventionist approach to reconstruction taken by the international community. Bosnia thus constitutes a rich case study of post-conflict peacebuilding, especially in the dimension of local ownership. In this section, efforts to support and promote civil society in state reconstruction and especially in the reform and democratic governance of Bosnia's security sector since 1995 will be examined.

Post-Dayton Bosnia and Herzegovina

In March 1992, following a referendum which had been boycotted by Bosnian Serbs, BiH declared independence from former Yugoslavia. Armed resistance by the Bosnian Serbs, supported by Serbia and Montenegro, broke out, aimed at partitioning the country along ethnic lines. Three years after the onset of war in BiH, the General Framework Agreement for Peace (Dayton Accords or DA) was negotiated in November 1995, bringing the conflict to an end. The Dayton Accords established a new constitution for the federation, with a weak central government structure in acknowledgement of the existing ethnic divisions; a three-member presidency; and two strong, ethnically-based 'entities' – the Bosnia-Herzegovina Federation (composed largely of Bosnian Muslims, or Bosniacs, and Bosnian Croats) and the Republika Srpska (predominantly Bosnian Serbs). Additionally, Bosnia contains the autonomous district of

Brcko. Two other important layers of government – cantons and municipalities – also exist, creating a highly complex system of governance in Bosnia.

The international community in the person of the High Representative was responsible for monitoring implementation of the civilian aspects of the DA, and promoting compliance with the DA in order to prevent a recurrence of conflict. A NATO-led international peacekeeping force (IFOR) was established to monitor the military aspects of the DA, followed by the smaller Stabilisation Force (SFOR) to deter renewed hostilities, which was replaced in December 2004 by the European Union-led peacekeeping force (EUFOR). Additionally, the UN created the International Police Task Force (IPTF) as part of the United Nations Mission in Bosnia and Herzegovina (UNMBH), charged with reforming the police and creating a depoliticised, democratic and accountable multiethnic police force. This was succeeded in January 2003 by the smaller European Union Police Mission (EUPM).

The international community put much emphasis in the DA on holding democratic elections as early as possible, which were seen as a key component of demonstrating international commitment to democracy in Bosnia. When these were held in September 1996, the three ethnic-nationalist parties responsible for the war were predictably voted into power by all three ethnic communities, blocking any further attempts to strengthen the weak central institutions and (re)construct the state. As a result, in 1997 the Peace Implementation Council granted the High Representative extended powers to pass laws, issue decrees, and dismiss elected and appointed officials for good cause. The 'Bonn Powers' have since been used extensively, especially by current High Representative Paddy Ashdown, who has introduced numerous laws and structures that constitute the formal components of a rebuilt state, and who has also dismissed many democratically-elected public officials who were deemed to be obstructing the development of the state.

Critics maintain that the highly interventionist role of the international community in the person of the High Representative has created a quasi-protectorate in Bosnia which has undermined the process of democratisation. Decisions imposed by the High Representative relieve democratically-elected representatives from the necessity of negotiation and compromise, blocking the development of a sense of responsibility among local political elites, while reinforcing tendencies towards passivity, distrust of participatory policymaking, and reliance on experts who lie outside the political process.[24]

The debate over the Office of the High Representative's – and the international community's – proper role in the state-building process is highly relevant to discussions of civil society empowerment and security sector reconstruction in post-conflict contexts. Bosnia emerged from war with more than 200,000 people killed, a shattered economy and infrastructure, deep ethnic divisions, and displacement of more than two million people as a result of the ethnic cleansing campaign. The existence of a stable state framework which provides basic public goods is the basis for involvement of civil society organisations in security governance. Critics maintain that while many statements are made about fostering local ownership, policies are generally not developed through consultation with the groups affected by them. Legislation that is developed by international actors and bypasses local legislators and advocacy groups undermines any claims to local ownership and democratisation through supposed greater inclusiveness of the political process.

Bosnian Civil Society and Peacebuilding Efforts

According to Freedom House, there are generally four types of civil society organisations in Bosnia: non-governmental organisations (NGOs) that are largely dependent on external funding; special interest groups, including many cultural and sports associations that often date back to the Communist period and are often large in membership and numerous but dormant; religious (especially Catholic and Muslim) charities; and radical nationalist movements.[25] However, there

are wide discrepancies as to how many civil society organisations exist in Bosnia. One source maintains that while some 8,000 NGOs were registered in 2004, only about 1,500 were considered active.[26] Another source maintains that there are 1,500-2,000 NGOs in Bosnia, but only 300 are considered active.[27] Yet another lists some 300 domestic NGOs in the country.[28] The low incidence of active NGOs is not inconsistent with studies showing similar trends throughout post-communist Central and Eastern Europe.[29] The discrepancies in numbers in Bosnia suggest that civil society is defined in different ways by different actors. It is also suggestive of the highly complex legal and regulatory environment in Bosnia for NGOs from the end of the war in 1995 until 2002: during this period, no common legal framework existed for NGOs, preventing the legal establishment of national NGOs (those entitled to operate throughout the country). Further problems included inconsistent NGO registration processes and the absence of legislation enabling tax deductible contributions to non-profit organisations, complicated by the absence of a state-level taxation regime.[30] Nevertheless, improvements have occurred, as in September 2002, when the legal framework was clarified with the passing of a new state Law on Associations and Foundations.[31]

International NGOs and foreign aid agencies arrived en masse in Bosnia in the aftermath of the war. Many domestic NGOs emerged as the result of projects of international NGOs, or in response to the availability of donor funding. Few Bosnian NGOs had the structure or constituencies that often characterise Western NGOs, and these were primarily involved with service provision, as the advocacy and monitoring elements were generally not present.[32] There was also little cooperation among CSOs due to inadequate resources and competition for decreasing donor funding as donor assistance shifted to Kosovo or disengaged from the region altogether after 2000. This is also mirrored in the academic sector, in which Bosnian universities, with few resources and lacking the capacity to act independently, have found it easier to cooperate with foreign universities than with their domestic counterparts.[33]

Specific instances of local civil society organisations that have become involved in security sector reconstruction are difficult to identify and are rarely mentioned in the SSR literature on Bosnia. According to one local observer, the development of CSOs dealing specifically with security sector issues began later than in most other states in Southeast Europe; many networks of academic centres, research institutes, and training institutions for security services that had existed were disrupted and destroyed during the war years. Bosnia continues to have few civilian experts in security matters who could be used as resources for policy analysis on NGOs.[34] Furthermore, Bosnian government officials have not proven very open to the expertise and analysis of independent external actors such as NGOs, 'preferring to rely on internal resources, personal contacts, or international advisors when developing new legislation or policies'.[35]

Despite the paucity of evidence of local civil society involvement in SSR, Bosnia has played host to a rich array of international non-governmental organisations (INGOs), quasi-non-governmental organisations (QUANGOs) and foreign non-governmental organisations that have sought to influence some aspect of the SSR process, often through partnerships with individual experts, parliamentarians, state actors and local CSOs that provide support or implementation assistance. Major support is provided by the EU through the Community Assistance for Reconstruction, Development and Stabilisation (CARDS) programme for the Western Balkans, which has focused on legal reform and state institution building, especially in the area of justice and home affairs.[36] Other actors include the major INGOs such as the National Democratic Institute (NDI) and International Republican Institute (IRI), both of which support development of policy research capacities, although only the NDI has an explicit SSR programme. Various organisations support research projects and policy dialogues on small arms proliferation, security policy and democratic oversight of the security sector. Legal and judicial profession reform, criminal law reform, promoting alternative dispute resolution and anti-corruption initiatives have also been supported.

Bosnia saw a general proliferation of NGOs that responded primarily to donor funding priorities, were primarily concerned with short-term projects that donors supported, and lacked connection with local communities and government. Donor priorities also tended to shift frequently, every six to twelve months in Bosnia, for example, from humanitarian relief (especially psycho-social counselling) to reconstruction, from business revitalisation to refugee returns, and most recently to civil society building.[37] With the rapid decrease of donor funding since 2000, many civil society organisations in Bosnia had to shift focus and search for new funding, discouraging long-term strategic planning and development in their organisations. The fault was two-way: international NGOs and donors sought cheap service delivery through local implementing NGOs without concern for long-term sustainability of the civil society sector. Meanwhile, local NGOs responded opportunistically to the initially abundant supply of donor funding to provide security and employment.[38] Heavy reliance on external donors undermined long-term capacity and sustainability. International donors have tended to focus resources on building up individual NGOs rather than developing the sector more generally, and have focused on funding specific projects, with the result that when donor funding dried up, many of these NGOs ceased to exist.[39] Dependence on external funding exerts a strong influence on their agendas and activities. With donor-driven NGOs, planning tends to be top-down and influenced by donor assessments and priorities, while accountability is directed upwards towards the donors, and NGOs focus pragmatically on provision of services rather than facilitating wider political participation.[40] Reflecting distrust and also the lack of tradition of government funding of civil society initiatives, civil society actors have tended to approach representatives of the international community to meet their needs and interests instead of local officials.

Criticism of international approaches to civil society building also focuses on other mistakes and misperceptions. Some observers maintain that due to the failure of the international community to facilitate progress in reconciling Bosnia's various ethnic groupings and reconstructing the social, political and economic bases of the country, it has turned to promoting and building civil society as a means of democratising the country. Civil society is valued for embodying the idea of compromise and dialogue, as a means of holding public officials accountable, broadening citizen participation in governance, contributing to peacebuilding, and human rights awareness. Civil society, in other words, is seen as a corrective to the ethno-nationalist politics of local leaders who are perceived as having persisted in obstructing the return of refugees and minorities to areas under their jurisdiction and preventing reconciliation among the three main ethnic groups.[41]

One critique that has arisen in Bosnia, however, is that donors have promoted and supported a version of civil society that, while fitting the agendas and needs of donors, has not been perceived by Bosnians as serving their interests. Rather, donors have focused on the quantitative aspect of facilitating the emergence of more NGOs and transferring technical skills they believe are linked to advocacy. The creation of dependency on international actors among civil society groups has weakened accountability of such CSOs to their local constituencies as they respond to the (frequently shifting) priorities and short-term projects of the international community, and has thus undermined the credibility of CSOs and their contribution to the emergence of a democratic culture.

The international community has been especially criticised for misunderstanding what is necessary to overcome the divisions among the three main ethnic groups within Bosnian society, which were frozen by the constitutional Dayton framework agreement. Ethnic nationalism impedes the emergence of a public space in which different forms of civil society organisations can be established.[42] According to Belloni, peace, reconciliation and reintegration in Bosnia have been severely constrained due to misperceptions among international actors, such as the belief that civil society is necessarily a force for compromise and dialogue. By channelling funding

through nationalist ethnic elites, the international community has served to sustain ethnic nationalism and the gray economy. By undermining the development of sustainable local and state institutions, the international community has undermined the role that local civil society can play in peacebuilding and reconciliation.[43]

When seeking to address security sector governance issues such as the continuing problems with organised crime and corruption in the country, members of the international community need to have a detailed knowledge of the country's history, its language and its people. Moreover, they tend to rely heavily on interpreters, engage primarily with a small group of select representatives of NGOs in the capital and the largest urban centres, and fail to incorporate the views of a diverse range of local experts in the definition and framing of problems and their solutions at the policy level. Lacking contextual knowledge yet determining public discourse of the subject through its dominance of the means of communication, the international community has framed its ideas for addressing the problem of organised crime and corruption in terms of general principles and processes rather than solutions tailored specifically to Bosnian circumstances. The perception of limited contextual knowledge has undermined the credibility of international community initiatives in this domain, contributing to local resistance to implement new measures.[44]

Prognosis

There is general agreement among observers that Bosnian civil society remains weak, underdeveloped, and lacking capacity, with NGOs largely dependent on external funding, donor-driven, failing to cooperate with one another and ineffective in advocacy activities. Nevertheless, recent assessments have noted some progress in the sector. The public image of NGOs has improved, as NGOs have made more effort to be transparent and to seek media coverage of their activities. Notwithstanding these improvements, some 20 percent of respondents in a 2003 poll conducted by the OSCE viewed NGOs as being of little societal use and serving only to provide good incomes for their members.[45]

Perceptions of NGOs by government officials at the local, cantonal and entity levels have also improved, indicated by their increasing collaboration with local NGOs, which are no longer interacting only with the international community.[46] This is significant as Bosnia is a highly decentralised state, and since the central government remains fairly weak and underdeveloped, the entities and municipalities constitute the key legislative and implementing bodies in many policy sectors.[47] Advocacy skills and activities of NGOs have also generally improved: 'In the past, advocacy was limited to closed discussions between government officials and civil society representatives. NGOs now make use of additional forums for advocacy, including public hearings, direct meetings, and written correspondence with government officials.'[48]

An area that shows promise for civil society initiatives in security sector reform is the growing regional involvement of new EU member states from Central and Eastern Europe in terms of foreign aid and development assistance. Transfer of knowledge and experience in transforming various components of the security sector would seem promising, given that Bosnia is not only a post-conflict state, but also a post-socialist state which bears many of the same political, social and economic legacies as the other former state socialist countries in Central and Eastern Europe.

The Bosnian example demonstrates that civil society is as political an arena as that of formal political competition, and its empowerment and building cannot be seen as an alternative to building effective, transparent, responsive and accountable state institutions – indeed, the development of civil society depends on the creation of such a state structure.

Conclusion and Policy Recommendations

One of the major challenges encountered in post-conflict peacebuilding is that there are typically few civil society actors in a post-conflict environment who are adequately equipped or prepared to function as an oversight mechanism vis-à-vis government, let alone play an active role in security sector governance.[49] Indeed, the very subject of governance may be moot where political institutions and the policy process are severely limited or even collapsed. State collapse is often accompanied by social lawlessness, or the existence of multiple, contradictory rules and thus the lack of commonly binding, consistent and generally accepted social rules.[50] A state that has recently experienced violent internal conflict and is largely unable to provide fundamental public goods to its citizens, such as security, sanitation or education, requires major capacity rebuilding in terms of state institutions, and the building of consensus and integration in society. Substituting for the state in providing essential services may be one of the most feasible roles for civil society in such contexts, at least until fundamental political and state administrative institutions are re-established, making the monitoring, oversight, innovation and lobbying roles more possible for CSOs.

A related challenge donors face in civil society empowerment in post-conflict settings is that civil society is supposed to be intrinsically generated and supported by citizens within that society. Civil society organisations are essentially understood as to be bottom-up initiatives that reflect the interests of local groups of citizens and local culture. While international NGOs and other actors (development agencies, etc.) may seek to facilitate the growth and empowerment of local CSOs, it is essential that local CSOs truly represent the interests of their constituencies, and remain accountable to them. Thus external support for civil society 'empowerment' and 'capacity-building' must ensure that there is a deliberate effort by sponsored CSOs to involve and gain the support of local populations. A key means of doing that is to ensure that the ideas and causes the CSO seeks to advance are appropriate to the local culture and local needs. Donors and funding agencies should exercise a measure of self-restraint in imposing their own priorities and solutions on countries, especially where they lack sufficient local input and local knowledge to determine that their priorities are those that are in the best interest of the local community.

The problem is especially present in the chaotic and dynamic conditions of an immediate post-conflict environment, where there is little time for donors, development agencies and Western implementing NGOs to develop and integrate a sensitive understanding of local conditions and interrelationships among institutions and actors. But even after the immediate crisis has passed and longer-term institutional rebuilding and reform has begun, there is often a failure to apply and integrate supposed 'lessons learned' to capacity-building and more general reform and democratisation programmes.

A danger arises when local CSOs become reliant on international funding or foreign donors for support. Civil society groups may compete for international funding, and as such may not share information or cooperate. Planning tends to be top-down, flowing from the priorities and objectives of funding organisations, while accountability tends to flow upwards to the donor, rather than down to the grassroots level which is presumably the social base of the NGO. Broadening social and political participation is often of less importance than providing quantifiable services and activities. As Belloni notes, 'this is essentially a top-down discourse embellished by rhetoric of bottom-up empowerment…'[51]

Local advocacy CSOs that uncritically adopt the agenda of their sponsor without adapting it to local conditions and needs risk remaining isolated from local politics by failing to connect with society and the state, and by imposing an externally-driven process. Western NGOs involved in post-conflict peacebuilding have similarly been criticised for using a 'cookie-cutter approach that does not take into account local experience or knowledge', and sending in staff with no regional expertise or knowledge of the local language to manage programmes in field offices. Further, Western NGOs have been criticised for their translation of generic material such as

handbooks and training manuals, and devising programmes based on those documents with no effort to take local conditions into consideration.[52]

Local experts and representatives of civil society must be consulted and brought into the process of post-conflict peacebuilding at the policy level, including in the defining of the problem and its solutions. Local contextual knowledge is key, both for those planning post-conflict reconstruction, and those international actors who may be participating in the implementation of such designs, such as through civil society empowerment programmes. Involvement of a broad array of local experts would help to avoid inappropriate or overly general assessments of what needs to be done, and would help to inject local concerns and requirements into the national policymaking level.

Finally, donors should also take more care to differentiate between those civil society organisations (especially NGOs) that can speak the language of donors but remain divorced from local communities on the one hand, and those CSOs that are connected to local constituencies but are not necessarily conversant with the methodology and framing of project funding requests.

Notes

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