

A mirror of the ethnic divide: Interest group pillarization and elite dominance in Bosnia and Herzegovina

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To date, there is no comprehensive treatment of interests and interest groups in Bosnia and Herzegovina (BiH). This article seeks to fill that gap. It does so by explaining that interest groups reflect the country's complex political system with multiple levels of power sharing along societal cleavages. Political parties are the major power centers, and the link between ethnicity and party allegiance is most significant in defining the role of interest groups. The result is a pillarized (separate, intragroup) and bifurcated group system with 3 separate interest group subsystems with little interchange between them. This fragmentation has been challenged by international institutional organizations promoting multiethnic interests. Nevertheless, with the persistence of many informal interests, the group system is stymied in moving toward an integrated system, a development that is key to strengthening BiH's consociational democracy.

In this country, it is not so important how smart or exceptional you are, but rather if you are on good terms with the right people and know the right places. (*Professor at the University of Sarajevo, who requested anonymity*)

1 | INTRODUCTION

Fundamental to understanding the nature of the socioeconomic and political system in Bosnia and Herzegovina (BiH) is that it is a multiethnic country. Accordingly, interactions between different ethnic groups are a key influence in shaping interest group activity.

BiH became independent from the former Socialist Federal Republic of Yugoslavia (SFRY) in 1992, but went through a difficult transition as it worked to consolidate statehood including a war that lasted from 1992 to 1995, referred to as the Bosnian War. The war resulted in a break with all previously existing political and interest group systems in BiH. A complex power-sharing arrangement was established to deal with ethnic contention. This agreement reflects that in a population of 3.5 million, Muslim Bosniaks comprise 50.1%, Christian Orthodox Serbs 30.8%, and Catholic Croats 15.4% (Agency for Statistics of BiH, 2016, p. 54). This system is based on the concept of "consociational democracy," which comprises multiple levels of

power sharing and, in effect, a semisovereign status for the three major ethnic groups.

Exactly how interest group activity has developed and functions in this new environment is unclear, as no comprehensive study of group activity in BiH has been conducted. Given this, this study draws on both secondary and an original source.

The secondary sources include a recent study on civil society organizations (CSOs) that included BiH as part of a Balkan-wide project explained in section 4 of the first article in this volume (Sejfića, 2015). In addition, there is work on nongovernmental organizations (NGOs) dealing with peace, reconciliation, and human rights as well as environmental NGOs (Fagan, 2008). Work on specific groups, including war veterans and women, was also consulted (Bojčić-Dželilović, 2004; Helms, 2003). Work on social movements was also of value (Arsenijević, 2014).

The original data come from in-depth interviews with seven practitioners, academics, and political analysts from BiH. The interviews were conducted between December 2016 and February 2017 and held in person or online via Skype. Interviewees were selected based on their knowledge of the BiH interest group system, including informal interests.

To provide a reference point, the article begins with an overview of the major characteristics of the contemporary BiH interest group system and the approach to analyzing interest group activity. The following sections expand on this overview and consider the relationship

between ethnicity, interest groups, political parties, and consociational democracy in BiH.

2 | THE BiH INTEREST GROUP SYSTEM TODAY: THE FUNDAMENTALS

Since the end of the SFRY's one party authoritarian regime and the advent of political pluralism, several factors have worked to undermine the development of a vibrant national interest group system. This has influenced the way that group activity is viewed by the public, shaped the defining characteristics of BiH's group systems, and the approach needed to analyze interest groups.

2.1 | A disconnect between the public and interest groups

Public perceptions of interest groups are best described as one of obscurity. They are rarely seen as influential forces in policymaking and as not participating in meaningful public debates. There are no polls that measure trust in interest groups; but there is work on public attitudes to specific organizations.

Religious organizations are the most trusted, at 55.4% of the population, closely followed by NGOs and humanitarian CSOs with 50.6%. Political parties consistently score worst on popular trust at only 14.1% (Analitika, 2013). There is no data for trust in labor unions, business associations, or other interest groups. So we use associational membership as a proxy for popular support of interests, the results are dismal.

Membership in associations is low, but specifically in interest groups. Labor unions are at 3.9% of the working age population, the same as for professional and business associations. Membership in religious organizations at 2.5% and in veterans' associations at 2.0% is even lower. Only sports and leisure groups (6.7%) and political parties (7.1%) have higher membership rates (UNDP, 2009, p. 63).

A prevalent popular idea is that public policies cannot be influenced through interest groups alone and that political parties are a key channel through which policies are influenced. Nevertheless, interest group actions are accepted as a viable form of policy influence, especially large-scale protests and workers' strikes (Sejfića & Fink-Hafner, 2016, p. 192). This disconnect between politics, organized interests, and workers' rights is explored in a case study of the 2016 BiH Labor Laws later in this article.

2.2 | Five major characteristics of contemporary interest group activity

Five significant characteristics of the BiH group system contribute to the disconnect between the public and political advocacy.

2.2.1 | The dominant role of political parties

Political parties are the major power centers in BiH. Consequently, they have been the dominant force in party-interest group relations since the move to pluralism. As almost all parties can be classified according to the ethnic group whose interests they represent—Bosniaks, Croats, or Serbs—(Kapidžić, 2015: 316), interest group

membership, organization, and activity reflect these ethnic political cleavages.

Political party elites play a key role in controlling interest groups as the consociational political system gives them extensive powers in defining the interests of the group associated with their party. Moreover, parties work to undermine any strong organized interests that could threaten their political power. This extensive party control results in a pronounced top-down, rather than bottom-up, interest group articulation.

2.2.2 | The pillarized interest group system

Interests in BiH are seen through an ethnic lens, and a national interest group system exists in name only. Instead, there are three separate interest group subsystems centered around the three major ethnic groups and their party affiliations. These subsystems are self-contained and blend issues of identity politics and representation. The system goes beyond fragmentation and is, in effect, best represented by three societal spheres resulting in a pillarized system.

The path to the current pillarized interest group system resulted from the way that religious identity was translated into political representation. As political parties were established and developed, they focused on representing religious (and later ethnic) groups and served as the main interpreters of all their group interests. Consequently, this limited interaction between the three ethnic segments of BiH, undermined any chance of a cohesive and unified multiethnic population. As a consequence, to speak of a single BiH nation with defined interests and organization is an illusion. So instead of a competitive style of interest group activity directed toward major political institutions, the preferred mode of action is appeasement within their own subsystem.

2.2.3 | The continuing informal nature of political advocacy

Although less so than under the SFRY, much interest group activity in contemporary BiH is informal as opposed to formal and institutionalized. This is a product of a combination of the dominant role of political parties, the almost exclusive ties of parties to particular ethnic groups, the tradition of close ties between families, friends, and associates, and the legacy of the informal and largely nontransparent policymaking process of the SFRY. As in the past, power groups—informal groups of prominent individuals connected to the centers of influence—continue to wield considerable political clout. Political patronage continues to be a prominent part of BiH politics and its interest group system. These informal ways of conducting political business encourage corruption and reinforce public skepticism of interest group activity.

This is not to say that the institutionalized formal sector of the BiH system has not undergone important developments since independence. Many groups and organizations operate that did not exist 25 years ago. But weak lobby regulation, with consequent minimal transparency of interest group activity, impedes the development of more formal and institutionalized political advocacy.

2.2.4 | International actors as formal and informal interests

Various international actors have had a major presence in BiH in the post-SFRY years. This has added a significant dimension to the country's interest group system. The international presence is due to the provision of aid in post-war reconstruction, the transition to democracy, the need for economic and financial support, peace-keeping actions to help conclude the Bosnian War, and, in recent years, assistance by the European Union (EU) to promote BiH's desire to join the Union. Most significantly, international actors sought to mediate ethnic interests through a focus on individual and human rights. In effect, this influence has attempted to counter the ethnic divisions of interest groups.

International organizations that have been present in BiH since independence fall into four major categories. First are international and regional organizations, such as the United Nations (UN) the North Atlantic Treaty Organization (NATO), and the EU. These have been most active through the Office of the High Representative (OHR), a local-international hybrid institution.

Second are national governments, such as the United States, Germany, and Russia and especially the neighboring governments of Croatia and Serbia. The third category is international organizations, such as the International Monetary Fund (IMF) and the World Bank. These also include the International Chambers of Commerce (ICC), and the International Labor Organization (ILO). Fourth, there are a variety of international NGOs, many of which do not engage in political advocacy. Those that do get involved in politics mainly promote human rights, transparency, and the rule of law.

Sometimes, international actors act as formal interests, as when they deal with the BiH government on formal diplomatic matters and, sometimes informally, as when NGOs work with government agencies to provide training on human rights issues. International actors played a major role in BiH's transition to democracy, but their influence is not always viewed as positive.

2.2.5 | A bifurcated group system

The four characteristics outlined above (including in some ways the role of international actors) have impeded the development of BiH's interest group system since independence. This has resulted in its continuing status as a bifurcated interest group system. Such a system is contrasted with an integrated group system found in other parts of the world (Klimovich & Thomas, 2014, pp. 185–186). An explanation of the contrast between the two types of systems is explained in detail in sections 5.6 to 5.9 in the first article of this volume.

Integrated systems, which are highly developed and in which public participation is widespread, are found in all developed democracies. By contrast, bifurcated systems are underdeveloped, predominantly elitist, and usually characterized by the activities of social and protest movements on the part of those outside of the elitist system. Therefore, the duality or bifurcation of the advocacy system is a result of the reality of two advocacy communities existing in a country: one being a small insider elite, the other consisting of the mass of society as outsiders. BiH has many of the elements of a bifurcated group system.

3 | SOCIETAL CLEAVAGES AND INTEREST GROUP DEVELOPMENT

The absence of a unifying national movement in BiH resulted in the gradual emergence of societal identities differentiating Catholic Croats from Orthodox Serbs, and Bosniak Muslims. As noted earlier, ethnic identity and party affiliation are politically intertwined which influenced the development of the country's segmented group system.

3.1 | Ethnicity and interest group development under the SFRY

In the early 20th century, Croat, Serb, and Bosniak elites established social and political organizations and began formulating their interests in relation to other groups in BiH, as well as toward the presence of various foreign governments. The first BiH political parties were essentially a set of composite, ethnic interests that served to protect and expand group privileges (Bieber, 2006, p. 7).

During the years of the SFRY, all ethnic group interests were restrained and generally hidden from public view. Interest groups did not have one predominant ethnic affiliation, because cross-ethnic interests were the norm. For instance, cross-ethnic professional associations expanded and thrived under the doctrine of workers' self-management. The BiH Communist Party determined access to the political arena and controlled interest articulation through peak associations. The Socialist Alliance of BiH Workers, for example, had oversight over all labor unions in the republic.

With the decline in legitimacy of the Communist Party in the late 1980s, BiH saw a resurrection of nationalist movements that later become ethnic political parties and ethnonational associations. The heavy-handed control of interest groups ceased with the disappearance of the one-party state. At the same time, liberal-minded civic activism was overpowered by the basic logic of ethnic self-organization.

3.2 | The Bosnian war and transformation of the interest group system

The fracturing along ethnic-religious lines of BiH's multiethnic political system that followed the breakup of the SFRY was intensified by the war. All sides committed atrocities against the populations of other ethnic groups shattering trust between communities. The war entrenched divisions within society and minimized subsequent interethnic contact and thus cooperation between citizens.

As a result, electoral politics and political debates were reframed in intragroup terms. Political parties and interest groups spanning the ethnic divide disappeared as issues were decided within closed ethnopolitical spheres, essentially ethnic pillars of society. Reflecting these divisions, the Dayton Peace Agreement (DPA) that ended the war established BiH's consociational democracy based on ethnic power sharing. This took the heat out of interethnic politics; but it contributed to hardening ethnic divisions. As a consequence, although the outcome of the war preserved the country, BiH's emergent collective society was destroyed.

The war imposed a messy break with the interest group system of the SFRY. Although some elements were inherited, their substance was changed. This was reinforced by economic devastation and international intervention. The most important consequence was that previously coherent interest groups split along ethnic lines. As they placed ethnic above professional interests, both old-established and newly founded organizations had little semblance to their predecessors except in name.

3.3 | The role of international actors

The Bosnian War forcefully reintroduced foreign elements and interests into BiH politics. International postconflict involvement brought with it a peace agenda that put strong emphasis on liberal values, civil society interests, and interest groups with the intention of emulating western notions of civil society and interest articulation (Paris, 2004, p. 99).

Because of increased international assistance, the overall number of NGOs grew exponentially. But these did not reflect genuine societal interests as support among the population remained limited. This may have been in part because there was no attempt by various international actors to engage with or support local professional associations with membership or private sector lobbying in the early stages of peace building (Belloni, 2001, p. 176). Thus, many of the liberal-minded interest groups had strong international support but weak ties to the population in general.

All this boils down to the fact that, whether acting formally or informally as a lobbying force, various international actors have inserted what is, in effect, an artificial element into the development of BiH's group system since independence. The resulting exponential growth in advocacy groups included many international or foreign government interests, and externally funded or sponsored groups and NGOs, that would not normally be part of a transitional group system. As a consequence, the development of BiH's group system has been distorted. It does not reflect a homegrown political advocacy system.

4 | INTEREST GROUPS AND POLITICAL PARTY INFLUENCE IN BIH'S CONSOCIATIONAL DEMOCRACY

BiH's version of consociational democracy has been a major influence in shaping its political environment. In particular, it has resulted in the dominance of political parties.

4.1 | Societal pillarization as a systemic source of political party influence

Deschouwer (1999) notes that the aim of consociational democracy is to govern societal cleavages in nonviolent ways, but inevitably this also reinforces the continuity of such divisions through political and communication practices. The result is an "institutional pillarization" (or *verzuijing*) of societal cleavages. In a pillarized society, there are mutually segregated networks of organizations, each with a specific form of ideological foundation related to a specific political party. The exclusive relationship of societal groups "with a political party is an essential element of pillarization" (Billiet, 1997, p. 66).

The three major ethnic groups, Bosniaks, Serbs, and Croats, have firmly institutionalized these pillars with all interest articulation happening within them, resulting in three separate ethnic subsystems, each with its own interest groups and dominant political party. Consociational democracy in BiH advances pillarization by explicitly guaranteeing representation and power sharing, as well as extensive veto rights and political autonomy to ethnic groups.

In order for consociational democracy to function, the political elites representing each segment of society must continually cooperate. These elites, mostly political party leaders, are supposed to achieve compromise on substantive issues and avoid an escalation of demands to protect one group at the expense of others (so-called ethnic outbidding).

However, cooperative and congenial action is not the norm. Instead, party leaders articulate their ethnic interests toward other ethnic groups in a confrontational manner, often with the intent of solidifying ethnic electoral support. This narrows the room for consensus politics and effective power sharing.

4.2 | Political parties and interest groups

In their dominant political position, parties perform the dual role of controlling public resources and public policies. Not only are they the main avenue for distributing resources, but also for enabling patronage and exercising control over their own particular groups. In performing these roles, as well as exercising strong influence on organized interest groups, parties often act as informal interest groups themselves. When they do so, they exert stronger influence on politics and institutions than any other organized interest. As such, societal group interests are framed as party interests and vice versa.

The parties themselves are composed of diverse local, regional, and professional interests, which compete for resources and influence behind closed doors. Each political party controls their own set of semi-independent interest groups that they utilize for policy purposes. Within the interest group literature, this comes closest to the dominant party model proposed by Thomas (2001, p. 281), with, in the case of BiH, a relationship based on ethnic identification. Independent interest groups outside the parties' spheres of influence are often ignored or sidelined and only supported by international actors.

5 | THE GOVERNMENTAL, POLITICAL, AND LEGAL ENVIRONMENTS OF INTEREST GROUP OPERATIONS

BiH's political system is defined by the DPA with the national constitution being an integral part of this agreement. There are three levels of government: a central (national) level; two mid-level administrative units, called *entities*, reflecting wartime territorial control; and the local level of cantons and municipalities. Of the two entities, the Republika Srpska (RS) is largely governed emphasizing Serb political agendas, whereas the Federation of Bosnia and Herzegovina (FBiH) is further divided into 10 cantons with Bosniak or Croat majorities. Two cantons have a mixed Bosniak-Croat population, and the country's capital, Sarajevo, is in the Bosniak part of FBiH. The result is a complex and

multilayered political system of cooperative federalism with pronounced ethnic elements.

5.1 | The government framework

In contrast to the targets of lobbying in most pluralist system, largely because of the jurisdictional divisions between the RS and the FBiH, the national level of government is not a major arena of political advocacy. Thus, there is a need to focus on other levels and aspects of governmental and political activity to piece together the political jigsaw of BiH's interest group system.

5.1.1 | The central government

The central government is based on power sharing between the three major ethnic groups. A tripartite Presidency, whose members collectively act as the heads of state, with one Bosniak, one Croat, and one Serb. Executive power is vested in the Council of Ministers, headed by a Prime Minister. BiH's bicameral Parliament has a directly elected lower House of Representatives and an appointed upper House of Peoples, consisting of ethnic representatives who serve to protect ethnic interests. The central government's responsibilities include foreign affairs, security and defense, fiscal and monetary policy, customs and immigration, and facilitating coordination between the two entities through framework regulation.

5.1.2 | The entity-level governments

The two entity governments have significant autonomy with RS and FBiH being the key policymaking arenas in FBiH. Both have a president (directly elected in RS, indirectly in FBiH) and governments headed by prime ministers. The unicameral National Assembly of RS and bicameral Parliament of FBiH have jurisdiction over a broad range of policy areas. These include health care, labor, finance and banking, internal affairs, justice, police, environment, education, agriculture, veteran issues, and culture. This range of authority means that these two mid-levels of government are responsible for the largest share of resource allocation in BiH.

5.1.3 | The canton level

At the local level, issues are mostly defined in ethnic terms of the majority. Although municipalities in both RS and FBiH have the least authority and resources, the 10 cantons in FBiH enjoy relative autonomy. They share jurisdiction over issues such as education, environment, and health care and need to be consulted by the FBiH government in many policy areas.

5.1.4 | Social councils

These operate throughout BiH as an institutionalized form of neocorporatism. They were established by separate agreements or laws to facilitate dialog between government, labor unions, and business associations on economic, social, and development politics and to protect and facilitate collective bargaining rights of workers. Separate tripartite arrangements exist in FBiH, RS, and in some FBiH cantons. However, the role of these councils is purely consultative, and the principles and best practices developed by these bodies are voluntary and rarely applied.

5.1.5 | International governance

In addition to BiH's own governance institutions, international institutions are directly involved in governing BiH. This is mainly through the OHR. The OHR can be described as a hybrid institution that is integral to BiH's political system, but accountable to international interests. It holds sway over all political and policy decisions made in BiH and can intervene in any policy it deems appropriate that falls within its mandate.

The OHR was created to oversee the implementation of the DPA, but gradually expanded its power to include dismissing local officials, whether elected or appointed, and to impose domestic policies. In recent years, it has not made much use of its powers and acts more like an international institutional interest group. Today, it is unclear whether the OHR should be included as an interest group or a BiH political institution.

5.2 | The ethnopolitical context of multilevel governance

BiH's form of cooperative federalism—in effect, ethnic federalism—results in a fragmented, multilayered political system with many avenues of access for interest groups. Given the major competencies of the entity levels of government, and the cantons in the FBiH, these are the most important for interest groups to lobby. For example, labor and pension laws are adopted at the entity levels only, whereas education and health care laws are adopted at the RS and FBiH levels and at the cantons in FBiH. Although this creates opportunities for interest groups to access multiple levels of government, it also leads to issues of coordination and (ethnic) competition among interests between different parts of the country.

5.3 | Regulation of interest groups

There is no single law in BiH that regulates interest groups, their activities, or lobbying in general. Regulation is based on a combination of laws but they amount to a very weak regulatory framework. Rather than regulating interest groups directly, legislation covers many of their activities and tactics under a variety of regulations ranging from anticorruption measures to party financing.

There are many problems with these laws that compound the weakness of political advocacy regulations. For example, lobbyists (as a separate profession) and firms specializing in lobbying are not mentioned in BiH legislation. In effect, they are formally not allowed to operate in the country. As with many other forms of advocacy, lobbying happens under the veil of informality and through other types of organized interests, such as CSOs.

The multilevel governance system allows interest groups to be formed at each of the three levels in three separate laws. Yet all three have different provisions: for instance, who can register an interest group (only individuals or individuals and organizations) and the location of the Registries of Associations (which can be with a ministry or the local courts). The provisions also differ on financial and transparency requirements. The central level has the only regulation on relations between government and general interest groups—the Agreement on Cooperation between the BiH Council of Ministers

and the NGO sector (BIH, 2004). It includes common principles and best practices, but is voluntary and rarely applied.

6 | THE RANGE OF INTERESTS, INTEREST GROUPS, AND POWER GROUPS

The number of registered CSOs in BiH is approximately 22,800, out of which 9,940 are considered active (EPRD, 2016).

6.1 | Economic interests

As in all group systems, the major economic interests in BiH are labor unions, business, and to a lesser extent agriculture. These are among the most prominent interests, although, as we will see, not the ones with the most power.

6.1.1 | Labor

Labor unions make up a large part of economic interests, and the right to unionize is protected by law. Even so, recently established companies do not have labor unions, as unionization is not encouraged. Of the various contemporary unions and their peak associations, many existed during the years of the SFRY and have managed to transition to the new political system. In large companies, both privatized and state-owned, unions have an active role in representing workers' interests to company management.

Today as in other aspects of BiH politics, unions are divided along ethnic lines and into three separate societal pillars. Although able to safeguard workers' rights, unions rarely cooperate with each other across ethnic lines.

In addition, BiH has no national union peak associations that include unions across labor sectors. Peak associations primarily exist at the entity levels, but also as separate organizations at the canton level in FBiH. As a result, at least two peak associations exist for each sector in the country. For example, the Union of FBiH Metal Workers, Independent Union of FBiH Miners, and Union of Metal and Mining Industry Workers in RS are three peak associations representing miners and metalworkers.

Furthermore, peak associations in BiH operate at different levels of government based on where responsibilities for the policies affecting them are located. For instance, interests of the primary education sector are best represented by peak associations at the cantonal level in FBiH and at the entity level in RS. Two examples are the Independent Union of Primary Education in Canton Sarajevo, located in FBiH, and the Union of Education, Science, and Culture in RS.

Labor peak associations across sectors are the Federation of Autonomous Labor Unions of BiH, covering only the territory of FBiH, and the Federation of Unions of RS. Together they form the Confederation of Unions of BiH at the central level. However, these three peak associations are barely active in advancing labor rights, except in representing labor as members of the tripartite Economic and Social Councils.

6.1.2 | Business

The business community is represented by several associations and chambers of commerce. Business has more developed capacities, resources, and greater independence from political parties and other ethnic interests than does labor. As business organizations are funded mainly by organizational memberships, they are much less subject to the instability of individual membership fees. The additional resources allow these associations and chambers of commerce to build capacity and develop extensive advocacy campaigns. Business also has a notable media presence that enables them to engage public opinion.

Business and commerce peak associations exist at most administrative levels, including the canton level; but their major presence is at the FBiH and RS levels. These organizations are the Association of Employers of FBiH and the Union of Employers' Associations of RS. Both are members of the tripartite Economic and Social Councils at their respective level of government. The most important trade chambers are the Foreign Trade Chamber of BiH at the central level, the Chamber of Economy of FBiH, and the Chamber Commerce and Industry of RS.

6.1.3 | Agriculture

Agriculture is represented by a large number of small associations divided along geographical location and type of farm product. There are very few large agricultural businesses as production is centered around small farmers. As a result, agricultural interests do not feature prominently in BiH politics. This is, in part, the result of geography—BiH is largely mountainous with little arable land—and a history that favored subsistence farming over industrial-scale agribusiness.

Nevertheless, there are peak association for agricultural interests. The most important are located at the entity level of government. These are the Union of Agricultural Producers Associations in RS and the Union of Farmers of FBiH. At the national level, these focus on general policies and trade; but as decision-making on agriculture is highly decentralized, most lobbying takes place at lower levels largely concerning particular crops. Although ethnicity plays a role in agricultural interests, it is less prominent than with other economic interests.

6.2 | Cause groups

The category of cause groups is very diverse. The most important are religious organizations, war veterans' groups, and the broad category of CSOs. In addition, there are social movements and protests groups.

6.2.1 | Religious groups and interests

Reflecting their prominence in the country's population, the most significant are Islamic, Catholic, and Serb Orthodox religious organizations. The major organizations are the Islamic Community in BiH, the Episcopal Conference of BiH, and elements of the Serbian Orthodox Church in BiH. Since the conflict of the 1990s, their leaders have been vocal on political issues and are often seen in public along with political leaders of their own ethnic group. The fact that religious organizations are among the most trusted institutions in BiH (Analitika,

2013) gives these leaders popular legitimacy to advocate their interests.

6.2.2 | War veterans

War veterans' groups blend the categories of cause groups and economic interests. Groups from the Second World War are still active, but given their decreasing number, their significance has been superseded by those that originated after the Bosnian War. Even though they represent only a small segment of society, war veterans, and specifically veterans with disabilities, are some of the most vocal interest groups. These groups exist on multiple administrative levels and Ministries that specifically deal with veterans exist in FBiH and RS.

These groups are intimately tied to the ethnic interests for which they fought during the war and the ethnic parties that represent these ethnic interests. In most instances, it is ethnic parties that champion the interests of veterans' groups. Although veterans cooperate well within their own ethnic pillars, ingrained antagonism fundamental to their existence means that interethnic cooperation is rare.

6.2.3 | Civil society organizations

Other types of cause groups are local CSOs, international nongovernmental organization (INGOs), and political party NGOs known as PANGOs.

PANGOs have interests inseparable from parties and usually a very short lifespan revolving around a particular issue, such as federal reform in FBiH. Their primary aim is to portray party agendas as genuine societal interests, and their actions are directed toward members of their own ethnic group.

Local CSOs are a large and diverse group, which provide the major part of political advocacy for BiH's citizenry. It is often difficult to distinguish cause from public interest group CSOs as their agendas often overlap. For example, the Mountaineering Union of BiH, an association of associations, includes many recreational hiking groups but also member organizations that coordinate Mountain Rescue Services.

The largest number of local CSOs focuses on the interests of people with disabilities, health issues, the rights of marginalized groups, and on promoting individual arts and sports. Most cause groups are active only locally, with few having a national presence. Two exceptions are the Sarajevo Open Center, which focuses on LGBT rights, and Women of Srebrenica, a women's group comprising family members of victims of the Srebrenica Genocide.

As noted earlier, INGOs have had a prominent presence in BiH since the end of the Bosnian War and are still very active. Their activities largely reflect foreign donor interests and do not always have strong local support. Only a few INGOs, such as Dogs' Trust (an animal welfare charity), explicitly and directly try to influence policymakers, whereas most focus on vulnerable groups, supporting youth, and local organizations.

6.2.4 | Social movements and protest groups

Social movements and protest groups are one of the few political forces that can claim to directly represent the broad interests of BiH's citizens. Recent examples include the *Bebolucija* (or Baby Revolution)

protests in 2013 on issuing travel documents to newborns, and the Citizens' Plenums in 2014, deliberative assemblies formed in response to corruption and government inefficiency. Most social movements and protest groups are reactionary and form around opposition to certain policies or issues. They are often ephemeral, and their momentum often dissipates before they can push for meaningful change.

6.3 | Public interest groups

Public interest groups are not prominent in BiH politics. This is largely because public perception still view state institutions as primarily responsible for public interests. This view is reinforced by the actions of various government ministries and agencies.

Human rights organizations and INGOs promoting public interests enjoy strong support among donors but with little active engagement from the BiH citizenry. An example is the activities of Transparency International BiH (an anticorruption NGO based in Berlin). By contrast, public interest groups focusing on humanitarian aid have broad popular support but often lack any type of policy agenda.

6.4 | Formal international interest groups and international institutional interests

Because of their significance as political advocacy forces in the country's politics, the major international actors were mentioned earlier. These include the EU, NATO, and the hybrid international-domestic OHR. Each have substantial formal and informal advocacy roles. Other international institutional interests with a major presence in BiH include the IMF, the World Bank, various United Nations' agencies, the Organization for Security and Co-operation in Europe (OSCE), and other organizations, all of which have notable influence in individual policy areas.

6.5 | Nonassociational interests, informal interests, and power groups

As in all transitional democracies, these interests are wide ranging. They include interests from individual businesses to family networks to think-tanks. Three major informal interests are domestic government interests; Croatia, Serbia and other foreign governments; and power groups and economic and political elites.

6.5.1 | Domestic governmental interests

The complex multilevel political system of BiH's with their various ministries, departments, and government agencies means that they all have major organizational interests to protect and promote. This necessitates their need to consult and often lobby institutions located at different levels of administration. The resulting political advocacy is played out both horizontally, for example, among ministries in the RS, and vertically, among ministries and departments at different levels dealing with, for example, the environment.

6.5.2 | Croatia and Serbia

Although both Croatia and Serbia often act formally in BiH, they are particularly important as informal interests. Formally, both countries

are signatories to the DPA and subject to many of its provisions. But informally, both have a claim to represent BiH citizens of their respective ethnicity. Furthermore, BiH's internal politics are considered domestic issues in Croatia where members of parliament include Croats living abroad, particularly in BiH. RS and Serbia also enjoy special relations with BiH's Serbs, with tacit approval from BiH's central government.

6.5.3 | Power groups

The interests of power groups and political elites are closely linked to family ties and party membership. Business elites and party leaders often come from the same "key families," and political and business favors are intrinsically linked. These elites gained their status during or directly after the Bosnian War through a combination of profiteering, portrayal as the protectors of one's own group, and a less than open privatization process of major sectors of the economy. There have been no investigations into these informal and often legally suspect links, but more recently, political party officials are being persecuted because of engaging in corrupt employment practices and contract favoritism linked to family ties and power groups.

7 | STRATEGIES AND TACTICS

Few groups and organizations in BiH use the sophisticated lobbying techniques employed in advanced democracies. Several factors combine to make the use of a range of such techniques largely unnecessary. Among others is a strong legacy of the past, including the connections between family, party, and economic elites; the dominance of interest groups by largely ethnic-based parties; the pillarized group system with little competition between groups; and minimal public participation in BiH's bifurcated group system.

All those interviewed struggled to provide examples of interest group strategies. Most mentioned that lack of these is compounded by deficient group capacities and of public trust. BiH is described as having systemic incompetence among interest groups. Reactive as opposed to proactive strategies dominate, and there is little agenda setting, networking, or long-term planning.

Most groups are concerned with protecting their interests and day-to-day issues. Cooperation and coordination are low even among similar interest groups and limited to local initiatives and intra-ethnic ties. Also, interest groups with ties to competing political parties do not cooperate with their competitors even on common interests. When groups and interests do lobby, because of the weakness of legislatures, they focus primarily on influencing decisions by the executive branch at various levels of government. Because of their major influence, political parties are also a primary target of lobbying.

In this political environment, informal strategies and tactics play a prominent role. Even so, interest group tactics consistently blend formal and informal practices and direct and indirect lobbying. Consequently, these categories are not mutually exclusive. But for purely analytical purposes, it is useful to treat them separately.

7.1 | The prominence of informal over formal strategies and tactics

Indirect and informal tactics are key strategies in BiH. It is almost impossible to influence policy change without employing indirect influence. Often these are used to further personal or various economic interests.

The pervasive influence of political parties and their major influence on policy means that much lobbying is not directed toward government institutions but target party leaders. A case in point are the previous activities of the EU that, as an institutional interest, often held informal, backroom meetings with the main party leaders, in addition to publicly lobbying elected members of parliament. Informal power groups exist within each ethnic pillar and assert their interests indirectly through their particular party. This tends to mask the influence of informal power groups.

Government institutions also engage in informal contacts that make use of party affiliation and political party structures. Informal communication happens within ethnic pillars in society and among cooperating parties and power groups in control of government. In fact, much public institutional interest articulation does not happen in public; but there is little data available to fully assess the scope of these informal advocacy activities.

Interest groups that sometimes use formal tactics are labor unions, business interests, and to some extent agriculture. Using the example of business, there is irregular but effective cooperation among the BiH, FBiH, and RS levels chambers, usually through shared interests regarding joint legislation. A high degree of organizational centralization, relative independence, and more developed capacities allow for business and trade interests to have a significant role in defining policy through formal strategies. Nevertheless, businesses most often use informal and indirect routes, particularly working to further their interests through party channels. The use of such informal contacts is another reflection of the underdeveloped nature of BiH's pillarized and bifurcated group system.

7.2 | Outsider tactics and protests

Although BiH's interest group system is not part of the daily lives of the vast majority of citizens, group actions are accepted as a legitimate way to influence public policy, especially workers' protests and strikes. In fact, such actions, particularly strikes, are considered by many workers as the only way to assert their rights.

Groups lacking insider access to party structures, especially CSOs, frequently use media channels and pressure through domestic institutions, such as the state ombudsmen, or through international CSOs and governments. Both domestic and international outsider organizations utilize policy briefs, expert knowledge, and evidence-based research. As to the use of the courts, sporadically there is action to challenge laws, but these are rarely successful as the rule of law in BiH is highly deficient. Effective judicial challenges generally have backing from opposition political parties and center on procedural errors made by government.

Protests are one of the most common forms of strategies and tactics used by outsider groups. In recent years, BiH has witnessed a

surge of protests as a reaction to citizens' concerns about community safety and socioeconomic security. Protests occurred in 2008, 2010, and throughout 2012–2015. Wide-scale protests in FBiH in 2014 brought down three cantonal governments and led to more awareness of popular accountability on all sides. Since then, the public has become more engaged in policy tracking and cry foul when political elites make decisions that benefit narrow interests. This is especially true at the municipal level where established political parties have lost recent elections to several independent candidates.

8 | INFLUENCE

There are no systematic studies of group influence in BiH to draw upon. This lack of data is compounded by the fact that much group influence is exerted behind closed doors. Despite the challenges, by drawing mainly on the observations of our interviews, it is possible to identify some interests with very clear influence and those with a lack of power.

8.1 | Political parties and international institutions

As alluded to in many places in this article, a major reality when dealing with interest group influence is that political parties and certain international institutions are dominant in the country's political system. So we need make only a few comments on them.

The identification of major parties with a particular ethnic group and the organization of interest groups along party lines means that parties control the activities and articulation of the interests within their sphere of influence. In effect, parties undermine the individual influence of such groups and organizations.

Two examples illustrate this. The weakness of labor unions and their peak associations is, in large part, due to their close ties to political parties. Instead of representing the economic interests of workers, peak associations serve to justify government policies to their members and to dilute opposition to government. The second example is the exercise of influence by ethnic groups. Although informal power groups exist within each ethnic pillar, they assert their interests indirectly through political parties. Thus, the political clout of parties masks the influence, or lack of influence, of ethnic group interests.

The most influential international institutional interests are the EU and the OHR with its major formal role in BiH's governance. These and other international organizations often work in concert to achieve their various goals and, as such, constitute a formidable collective interest. In addition, foreign governments acting as formal or informal interests can influence BiH's politics, but with limited impact. The governments of Germany, Austria, Russia, the United States, and more recently China, assert specific interests in BiH only occasionally.

In regard to ethnic groups, however, three countries are influential interests. Turkey is a force within the Bosniak ethnic pillar and corresponding political parties. More significantly, Croatia and Serbia assert a claim to represent BiH citizens of their respective ethnicity. Their political advocacy and influence combines informal and formal activities. However, this aspect of influence is largely one sided. The BiH

government does not have much influence on politics in these three countries.

8.2 | The limited influence of other interests and interest groups

With the exception of political parties and international actors, most interests in BiH are not effective by themselves.

8.2.1 | Economic interests: Mainly business and labor

Business appears to be the most influential economic interest. Nevertheless, the dominance of political parties means that business does not have the political leeway that business does in most democratic countries, including some in the Balkans.

As noted earlier, a major reason for the weakness of unions is their dominance by political parties, but other reasons also diminish their influence. Unions generally have a low level of professionalism among their management personnel, insufficient resources for mobilization, and their peak associations are weak because of their inability to develop an effective advocacy strategy. Lacking financial independence and bound to "their" ethnic sphere by the dynamics of consociational democracy, peak association leadership places ethnic interests before economic ones. This is especially true for industry and manufacturing unions. In some instances, unions have conflicted with one another where rivalries among political parties play out through their direct influence on interest groups. This lack of unity has undermined their influence. An exception to union weakness is civil servants', unions, which are active at all administrative levels and have some independence from political parties.

Agriculture is even less united, and its various organizations lack a coherent and long-term advocacy strategy. With no large agricultural producers in BiH, these interests do not have sufficient resources and organizational capacities. Regular small-scale protest to disrupt road traffic, alienates both the government and much of the population.

Other economic interests that are occasionally effective in some circumstances are, for the most part, politically weak. For instance, pensioners and retirees show little awareness of interest group politics. Their organizations are apolitical or subsumed under strong party control, and needless to say, ethnicity plays a key role in defining retirees interests. Serb pensioners will only defend their interests not those of other pensioners' groups. The same is true for other groups. This fragmentation reduces their effectiveness on the rare occasions that they do engage in political advocacy.

8.2.2 | The political impact of other interests and interest groups

Probably the most influential noneconomic interests on a consistent basis in BiH are the three major religious organizations—Catholic, Serb Orthodox, and Muslim. Even though they are closely associated with their particular ethnic pillar, they have more political leeway to operate. This is largely because religious organizations are among the most trusted institutions in BiH which, gives their leaders popular legitimacy to advocate for their interests. With all three faiths having a large number of clergy, various affiliated organizations, and

tens of thousands of individual members spread across the country, they can exert influence on policymakers from all regions of the country.

War veterans' associations can influence budgeting decisions for construction and upkeep of cemeteries and monuments of fallen soldiers. Their clout was considerable following the Bosnian War, and no major policy affecting them could be made against their position (including pensions, health care benefits, and other privileges for them and their families). More recently, this has changed, and although being able to preserve benefits, more rigorous control on veterans' spending has been imposed.

As to the categories of cause groups, public interests, social movements, and protests, most have little or no power, though a few do exert influence under particular circumstances. The range of these organizations and interests is a good illustration of where presence does not translate into power. For instance, even though they are numerous, the direct impact of both cause group CSOs and most INGOs is negligible.

Although public interest CSOs generally have greater resources than those dealing with specific causes, they also struggle to shape agendas and influence policy. Public interest organizations focusing on women's rights, education, public health, and ecology are more strategically oriented and able to influence policy agendas through a combination of media presence, public campaigns, and external pressure (see the Boomerang pattern in Keck & Sikkink, 1998, p. 12). For instance, several hydroelectric dam projects have been put on hold in recent years following environmental group protests in FBiH. Also, public health CSOs were able to shape the FBiH law on control of tobacco products and increase public health safety. In both cases, domestic and international pressure was brought to bear.

The strength of social movements and protests largely depends on the number of people in the street. No matter how high a moral cause these groups have, if they are unable to mobilize their followers, governments will not take them seriously. Generally, these loose-knit organizations do not last long as their momentum usually dissipates before they can push for meaningful change. Often, with no clear agenda and, as a result, no coherent strategy to directly lobby policymakers, they do not have a sustained impact on government and decision-making.

9 | THE RS AND FBiH LABOR LAWS OF 2016: A CASE STUDY

In 2015, both FBiH and RS adopted new labor laws with very similar provisions (FBiH, 2016; RS, 2016). As the issues surrounding their enactment were important for the major economic interest groups and international institutional interests, this case is a classic example of interest group activity in BiH.¹

9.1 | The background

The laws are a part of the broader *Reform Agenda*, a German–British initiative to revitalize BiH's stagnant European integration process

by putting a stronger focus on economic reforms. The political process involving negotiations leading to the *Agenda* was kept secret between international participants and the FBiH and RS executive branches; the entity-level parliaments were not involved in the negotiations.

When the *Agenda* was made public, the reform program included the proposed labor laws. These were meant to replace existing labor laws, harmonize practices across the country, curtail collective workers' rights, and create a more business-friendly environment to foster investments. Loans from the IMF (IMF, 2016) and World Bank were contingent on the enactment of the range of reforms included in the *Agenda*.

9.2 | Interest group politics and enactment

The laws in both FBiH and RS were adopted through expedited parliamentary procedures that cut short deliberation and suspended public consultation. The FBiH law came into force in late 2015 and the RS law in early 2016.

The reforms had strong and broad support among international institutional interests, especially the EU, the IMF, the United States, and several European countries. Several statements in the media were intended to generate popular support and link the laws to European integration efforts.

Due to the strong conditionality provisions included in the *Agenda*, especially that of the IMF loan, the EU and international financial institutions forcefully lobbied for the laws through informal channels and political parties. In contrast to the strong international support, there was a division among domestic interest groups.

Business associations in both FBiH and RS supported their law but sought to change several of their provisions. They opted for consultation with government and use of amendments to push for further flexibility within the laws. They used the media to promote their case. In areas where their agenda had little popular support, business likely used party backchannels to advance their goals. However, reflecting interest group pillarization, even though the Association of Employers of FBiH and the Union of Employers' Associations of RS were major advocates for the laws, there was little or no visible cooperation between business associations in FBiH and RS.

Labor unions and their peak associations opposed the laws, at times vehemently. In both FBiH and RS, peak labor associations staged protests in front of parliament as the laws were debated and voted on. In FBiH, these protests were supported by social democratic opposition parties in parliament. However, the turnout for the major protest was far below expectations. This was partly due to bad communication and poor organizational skills on the part of the peak associations.

Many labor unions, some with close ties to the governing parties, decided not to mobilize their members against the laws. The inability to form a common front left labor unions in FBiH weaker than before. During the first debate and vote on the RS law by the National Assembly, the unions, headed by the Federation of Unions of RS, put up a stronger fight. But even the RS unions did not continue protests once the law passed.

Following the passage of the laws, there were significant legal challenges, especially in FBiH. Opposition parties filed a complaint on procedural violations with the FBiH Constitutional Court. Eventually, the Court ruled that the law was void and had to be voted on again. During the new vote in April 2016, there were no protests, and the law was passed.

9.3 | A reflection of the major characteristics of BiH's interest group politics

This case study illustrates the significance of the major characteristics of BiH's interest group system. It also demonstrates some aspects of the practical advocacy activities and influence (or lack thereof) of individual groups and group sectors.

Several international actors were a dominant force in the development of the laws and getting the entity governments to support them. Once the *Agenda* was made public, the significant role of political parties became evident in both aiding business and constraining the activities of unions closely allied to particular parties. The informal, behind the scenes, aspect of group activity is evident in the actions of the business peak associations and even how international actors participated in the process. And although the bifurcated nature of the interest group system is not explicit in the study, elite control of the development and passage of the laws is evident as is the lack of many union members to participate in the process.

The study also shows that, relative to other groups, business is the most organized and has the most savvy as a lobbying force. Unions, on the other hand, were shown, for the most part, to be subservient to ethnic party interests, were unwilling to get out a large number of their members to demonstrate if this did not suit party interests. Even when unions did organize protests, the turnout was low.

Perhaps the major and general lesson is that BiH's interest groups have come to accept that when international interests want a particular policy, they do not have much influence to counter them. The territorial, ethnic, and political fragmentation of interests and formal groups representing them make domestic interest groups too weak to mount a significant challenge.

10 | CONCLUSION: INTEREST GROUPS AND DEMOCRACY IN BiH

As of 2018, BiH is an unconsolidated consociational democracy. The present role and influence of interest groups, which can be described as one of progressive decline, contributes to this situation. Bearing in mind the major characteristics of the group system and the operation of individual interests and interest groups, we conclude by assessing their ability to act as agents of change and strengthen democracy. The five major obstacles that must be overcome to move BiH toward a consolidated pluralist democracy are as follows.

- First, the political stranglehold that parties have on interest groups needs to be loosened. A more- or less-independent group system is important as a basic political counterweight to other political institutions.

- Second, it is important to develop a more transparent policy process with a diminished role for power groups and an increased role for institutionalized interests. This will force policymakers and those lobbying to engage in less-corrupt activities. A first step would be clearer and more straightforward regulation of interest groups and lobbying.
- Third, there is the need for movement from a bifurcated group system toward one that is integrated and based on widespread acceptance of the role and significance of interest groups. Moving beyond the present group system requires that interest groups become accepted and part of the mindset of both public officials and the general public. This should result in the development of a broader range of interests with widespread memberships.
- Fourth is the role of international actors. As we have seen, their role in the country's interest group system has been a mixed one in terms of promoting the advancement of the group system. As international actors are likely to remain a part of BiH politics for the foreseeable future, their role needs to be redefined to move the group system toward one that is more formal and integrated, strengthening its independence, and thus enhancing democracy.
- Fifth, from a more long-term perspective, ethnic pillarization needs to allow crosscutting ties, to enable a multiethnic interest group system to develop. This will involve overcoming the symbiotic relationship between ethnic groups and political parties and allow more independent advocacy to emerge.

In many ways, these five needed changes are the ideal, but the chances of all of them coming to fruition are small. If there is some movement in any of them, it will likely be a long process stretching over many generations. Traditional rules, norms, and practices imbedded in the BiH political culture are major obstacles to these developments. The political status quo is a powerful force in politics, as change holds the uncertainty of the unknown for those in power. That said, a combination of international institutional interests, social movements, and independent economic interest groups has the greatest potential to advance pluralist democracy in BiH and to challenge the prevailing party-centered interest group system.

ENDNOTES

- ¹ The sources for this case study are personal interviews with: A. Huskić (05 January 2017), I. Marić (05 January 2017), T. Jusić (18 January 2017), V. Simović (19 January 2017), A. Pepić (24 January 2017), E. Kovačević-Bajtal (03 February 2017) and L. Ibranović (15 February 2017). Additionally, media articles were identified and collected from Al Jazeera Balkans (accessed: 02 February 2017); Buka Magazin (accessed: 02 February 2017); Klix (accessed: 02 February 2017); and Radio Slobodna Evropa (accessed: 02 February 2017) using the search string: <zakon+o+radu+2015 OR 2016>.

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LIST OF INTERVIEWS

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Lejla Ibranović, Executive Director, Transparency International BiH (February 15, 2017).

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Ivana Marić, Freelance Political Analyst and Advisor for Political Marketing and Communication, Konrad Adenauer Stiftung BiH (January 05, 2017).

Andela Pepić, Project Manager, University of Banja Luka–University Entrepreneurship Centre, and researcher on economic and labor law (January 24, 2017).

Vlade Simović, Assistant Professor, University of Banja Luka (January 19, 2017).

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