

**The Power-Sharing Process:
Media Reforms in Bosnia-Herzegovina**
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L. Kendall Palmer
Department of Sociology
University of North Carolina at Chapel Hill
CB#3210, Chapel Hill, NC 27510
Lpalmer@email.unc.edu

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Introduction

The media, controlled by nationalist politicians, played a central role in fanning ethnic strife in the former Yugoslavia (Thompson, 1994; Pech 1999/2000). Because of this, the international protectorate in Bosnia-Herzegovina has made media reforms a key component of its overall reform strategy. But how, precisely, should media be restructured to not only prevent the re-escalation of ethnic conflict, but also promote democracy? At the polity level, power-sharing is increasingly accepted as a method to not just make democracy work, but make it possible, in societies deeply divided by ethnicity. Power-sharing democracy goes far beyond standard democratic procedures to ensure adequate ethnic representation. If such steps are needed in governance in divided societies, they may also be necessary in other institutions. My research extends power-sharing to the media. I apply the principles of two important power-sharing models to media institutions. I then compare actual media reforms in BiH to these two ideal types. The focus is the process by which these reforms are shaped. I examine the interactions between the international protectorate, the existing power structures, institutional legacies, and the public in the shaping and implementation of media reforms.

Media in Transition

Even a brief look at recent news emerging from Central and Eastern Europe shows the difficulties of developing a "democratic" media system. In Prague, 75,000 gathered in Wenceslas Square to protest the firing of the director of public Czech Television and his replacement with a man deemed to have political connections. In Russia, Putin threatens to close down independent television network NTV and Ted Turner offers to ride in on his white horse and save it, but only if Putin promises not to shut it down. An independent printing press in Belarus was seized. In the Ukraine, an audiotape links the president's office to the disappearance

of a local journalist critical of corruption. These stories are all from January of this year and there are many more. All of them point to the difficulties in the transition from the state-controlled media of the socialist system to a more independent media system. Those in power expect the broadcast and print media to present their activities in a positive light.

However, supporting politicians and others in power is not seen as the role of media in a democratic society. Instead media are supposed to be independent, to play a watchdog role keeping an eye on the activities of the state. Numerous international and local NGO's in the states of Eastern and Central Europe have attempted to assist in developing media capable of playing this role. Their activities have focused on journalist protection, journalist training, and funding of independent media sources. The goal is always the development of an independent objective, Western-style media as an important element of civil society and a balance against those in power.

As difficult as this transition in media structures is in societies moving from an authoritarian to a democratic system, it is greatly magnified in societies with deep ethnic divisions exiting from conflict which must make a dual transition of democratization and ethnic reconciliation. If there is anything that researchers agree on about the dissolution of Yugoslavia, it is that the media played a central role in fanning the ethnic hatred that brought about its demise (Gredelj, 1997; Jusić, 2000; Pech, 1999/2000; Thompson, 1994). While it is beyond the scope of this paper to discuss the process in detail, the central theme is that the media, controlled by nationalist politicians, used broadcast media as propaganda tools to heighten ethnic tension and create and ensure their power bases. And it is not just in the former Yugoslavia. A tremendous amount of research has been done on media and conflict (see Wolfsfeld, 1999).

In contrast to the plethora of research on media and conflict, surprisingly little research has been done on the role of media in peace processes (Wolfsfeld, 1999). Most researchers and practitioners assume that setting up Western-style, objective, independent media is the solution in societies deeply-divided by ethnicity, just as it is in societies transitioning from authoritarian to democratic political structures. Wolfsfeld (1999: 2), however, argues that, "*Due to an inherent contradiction between the nature of a peace process and news routines, the media often play a destructive role in attempts at peacemaking.*(italics in original)" Wolfsfeld's argument assumes, again, objective, independent, watchdog, Western-style media. However, theorists of power-sharing have recognized that in societies with severe ethnic divides, democratic institutions need to go far beyond standard democratic procedures to ensure adequate ethnic representation and minimize conflict between ethnic groups. If such steps are needed in governance in divided societies, they may also be necessary in other institutions. My research extends power-sharing to the media. Below I explain the power-sharing literature before applying its general principles to media restructuring.

Power-Sharing

The power-sharing literature highlights three problems with simple majoritarian democracy (or the Westminster, first past the post system) in societies with severe ethnic divides:

- 1) Minority group based political parties may be permanently excluded from participation in governance. As a result they have no incentive to "play by the rules of the game."
- 2) There are few "floating" voters with preferences based on non-ascriptive characteristics. Thus, politicians rarely broaden their appeal to members of other ethnic groups and have few or no incentives to do so.
- 3) Extending number two, politicians have incentives to participate in radical outbidding on potentially divisive ethnic issues (Sisk, 1996).

Though not claiming that power-sharing structures can eliminate deep ethnic hatred, advocates of power-sharing do suggest that the rules of the political game can be structured to "institutionalize moderation on divisive ethnic themes, to contain the destructive tendencies, and to preempt the centrifugal thrust created by ethnic politics (Sisk, 1996: 33)." Sisk (1996: 33) continues:

The central question of political engineering is this: which kinds of institutions and practices create an incentive structure for ethnic groups to mediate their differences through the legitimate institutions of a common democratic state? Alternatively, how can the incentive system be structured to reward and reinforce political leaders who moderate on divisive ethnic themes and to persuade citizens to support moderation, bargaining, and reciprocity among ethnic groups?

Though theorists of power-sharing democracy agree on the limitations of majoritarian democratic structures and the necessity of political engineering to overcome them, there are sharp disagreements between the "schools" of power-sharing. The two most prominent models of power-sharing are Arend Lijphart's consociational model and Donald Horowitz's integrative model (Sisk, 1996). Lijphart's consociational power-sharing relies on elite cooperation across ethnic divides as the method to manage conflicts. Ethnic fears of cultural domination are reduced by extending autonomy as far as possible to each ethnic community, allocating shared resources proportionally, and, when common decisions must be made, assuaging minority fears by giving them veto power. Lijphart (1977; 1985; 1990) outlines four basic principles of this model: 1) a grand coalition executive; 2) minority veto; 3) proportionality in the allocation of civil service positions and public funds; and 4) group autonomy.

Consociationalism, according to Horowitz (1985; 1990; 1991), relies too much on elite cooperation and reinforces ethnic identities. Horowitz's integrative power-sharing, in contrast, uses territorial and electoral reforms to promote inter-ethnic cooperation and intra-ethnic competition, thus creating cross-cutting cleavages. He offers five reforms designed to increase

intra-ethnic competition and inter-ethnic cooperation: 1) dispersions of power to reduce concentration on one focal point; 2) reservation of some local posts on an ethnic basis to promote intra-ethnic competition for these posts; 3) electoral laws (especially vote-pooling) promoting inter-ethnic electoral coalitions; 4) policies encouraging social identities other than ethnicity, strengthening cross-cutting cleavages; and 5) distribution of resources based on need rather than ethnicity. Summing up then, consociational power-sharing seeks to reduce ethnic tensions and fears by minimizing the need for interaction between ethnic groups, except at the elite level, while integrative power-sharing seeks to minimize conflict by creating cross-cutting cleavages with bases of identity other than ethnicity.

But power sharing has focused on governance – systems of representation in elections, legislative decision rules, and cultural policy. My research extends the logic and principles of the power-sharing models of Lijphart and Horowitz to media reforms in divided societies. First, I use the power-sharing lens to illuminate consociational and integrative media structures. Then, I use this lens to examine the process of TV and radio broadcasting reforms in Bosnia-Herzegovina. In particular, I look at the interplay between the international protectorate, the existing power structures, institutional legacies, and the public in shaping the type of power-sharing that gets implemented.

Power-sharing in Broadcasting

It is a fairly simple task to extend the three problems with majoritarian democracy in severely divided societies to broadcasting. One possibility is that minority ethnic groups will be completely shut out of the broadcasting system and lose any control of how they are presented. A second is that listeners and viewers choose stations solely based on ethnicity, impacting the way other ethnic groups are presented in the media. Finally, media outlets could participate in

radical outbidding on divisive ethnic issues, minimizing the chance for agreement and compromise. A broadcasting system constructed according to consociational or integrative principles would be designed to overcome these three potential problems.

Consociational Broadcasting System

Here I flesh out each of Lijphart's four main points/general principles about consociational democracy and apply them to a broadcasting system. First of all, a consociationally structured media system would have separate stations for each major ethnic group in order to ensure group autonomy. In the context of Bosnia-Herzegovina, this would mean separate (probably public-funded) Croat, Serb, and Bosniak TV and radio stations. Each of these stations would be funded proportionally to its ethnic population. For governance of the media system at a broader than station level, we would expect an executive board consisting of appointees from each of the major stations. This board of elites would make decisions on the media system in general. Each group would have a veto over decisions made by the board.

Integrative Broadcasting System

An integrative broadcasting system would look much different than a consociational one. In order to ensure dispersions of power, we might expect many stations. Alternatively, we might expect some local autonomy within a network of stations. None of these stations would be ethnically oriented. At the network level, competition for positions would be designed to ensure that those fighting for positions needed to appeal to ethnic groups other than their own. Similar features would be characteristic of media regulatory bodies, with competition for spots on this board based on appeals to other ethnic groups. However, we might expect one slot reserved for a member of each major ethnic group, for example, something like overseer of Serb issues, to ensure intra-ethnic competition. Importantly, especially for media, stations would not appeal to

ethnic identity in order to ensure multi-ethnic audiences for each station and potentially create bases of identity other than ethnicity. Below I examine four key factors important in the media reform process, before using the principles of power-sharing to investigate the dynamic process of reforms in the broadcasting system.

Factors Impacting the Reform Process

I have identified four factors (categories of factors) crucial in impacting the reform process: 1) pre-existing institutional legacies, 2) the international protectorate, 3) the existing power structures, and 4) the public.

1) Pre-existing Institutional Legacies

By pre-existing institutional legacies, I refer to the "leftover" patterns of behavior and structures remaining that impact the type and success of media reforms created and implemented. In particular, I have two institutional legacies in mind which affect the scope and type of media reforms: a) the existence of the "national" broadcasters and b) the rules and regulations encoded in the Dayton Agreement (or General Framework Agreement on Peace), as well as the institutions set up by this agreement.

a) National Broadcasters

Media reforms, as the word reform suggests, do not take place from scratch; the media system is not a *tabula rasa* to be molded precisely as those in power wish. Particularly important in BiH after the war, were the three "national" broadcasters. RTRS (Radio Television of the Republika Srpska - formerly SRT, Serbian Radio and Television) targets a primarily Serb audience, while FTV BiH (Federation TV of Bosnia-Herzegovina) is focused on a primarily Bosniak audience. In addition, a network of Croat stations operate in the northern and western sections of Bosnia. These stations have been funded by and closely linked to HRT (Croatian

Radio Television) across the border.¹ These three networks dominated the post-war Bosnian media scene. Reforms must take into account the existence of these media outlets.

b) The Dayton Agreement

The Dayton Agreement divided up Bosnia into two entities, the primarily Serb Republika Srpska (RS) and the primarily Muslim (Bosniak) and Croat Bosnian Federation. While the RS is quite centralized, the Federation is more federal to allow power to be spread to Croats in Croat dominated areas and to Bosniaks in Bosniak dominated localities. As such, Dayton is a quite consociational agreement; it is designed to maximize group autonomy and minimize minority fears of domination by other ethnic groups. Executive positions rotate among the three major ethnic groups, with each guaranteed one of the top 3 executive positions at the Bosnian state level. In addition, very few decisions take place at the state level - currency issues, for example. Decisions on media reforms must navigate through the institutions and structures that were created by the Dayton agreement.

On the media sphere, the Dayton Agreement is relatively silent, just giving jurisdiction over media coverage of elections to the OSCE. Udovicic et al (2001:32) clearly explain the importance of this silence for media reforms:

[Dayton] Places the media field in the jurisdiction of the entities. This today remains the main obstacle to all attempts to establish single standards, at the level of the whole state, and even the Federation entity, for freedom of information and unimpeded flow of information.

2) The International Protectorate

The International Protectorate was created by the Dayton Agreement and has a mandate to ensure the implementation of this agreement. While the OSCE oversees elections issues and SFOR (Stabilization Force) oversees military operations, the key component of the international

¹ For more details on these national broadcasters, see Sucic, 1996.

protectorate is OHR (the Office of the High Representative), an organization created by decree of the Dayton Agreement. In general, OHR, as well as the rest of the international protectorate, is interested in promoting inter-ethnic and cross-entity communication and cooperation. As such, it works for the development of integrative power-sharing arrangements designed to create bases of identity other than ethnicity. The International Protectorate has been central in getting the few central state institutions that exist accepted. While OHR has the power and the mandate to enforce any decisions in line with the Dayton Agreement, it also must balance out 1) the paradox of democracy by fiat and 2) the need for local support in the long (and short?) run.

3) *The Existing Power Structures*²

In many ways, the conditions following the collapse of the former Yugoslavia and the ensuing war remain in Bosnia-Herzegovina; three nationalist parties – the Bosnian Muslim SDA, the Bosnian Croat HDZ, and the Bosnian Serb SDS – have, to a large extent, retained control of the tools of economic and social control. As the writers of the European Stability Initiative put it (*Reshaping International Priorities in Bosnia and Hercegovina, 1999: 1*):

Nationalist leaders have a strategic interest in maintaining the conditions on which their power depends: pervasive separation, fear and insecurity among the general populace; a lack of democratic accountability; breakdown in the rule of law; personalised control over the organs of public order; and the absence of institutions capable of controlling illegal economic activity.

As such, these existing power structures have no interest in power-sharing, at all. However, insofar as consociational power-sharing better allows for ethnic control of institutions, it is a better solution for these power structures than integrative power-sharing.

4) *The Public*

² For full details on the existing power structures in Bosnia see, especially, *Reshaping International Priorities in Bosnia and Hercegovina: Part One – Bosnian Power Structures*, 1999.

The ways in which the public impacts the development and implementation of power-sharing reforms are not clear. In media, however, the public has a degree of choice in the matter. The creation of media outlets to increase inter-ethnic cooperation and communication will not work if the public does not watch. Second, the viewing and listening public is ethnically structured (Sucic, 1996). Habits of media viewing likely affect future media choices.

Below, I show, using the two models of power-sharing previously outlined, how each of these four factors interact to impact the development and implementation of the reform of the TV and radio broadcasting system in BiH.

The Early Reform years - Development of OBN and Radio FERN

After the signing of the Dayton Agreement in 1995, the international protectorate was faced with three ethnically structured, separate media systems with inflammatory reporting on other ethnic groups in each system (Sucic, 1996). Nationalist parties had extensive control over the content of each of these media systems; there was little, if any, separation between politics and media. Members of the international protectorate considered this destabilizing for the peace process in both the long and short-term. Faced with such a media environment, the international protectorate, as well as others in the international community, set up media restructuring as a key component of its strategy.

Early reforms by the International Community included work on 1) the development of some media pluralism by providing funding for new, independent TV and radio stations in addition to the "national" stations, 2) journalist training and protection, and 3) development of objective standards for broadcasts. The key reform in the context of this paper, though, was the attempt to develop inter-entity, cross-ethnic communication networks. Particularly important were the development of TV OBN (Open Broadcast Network), by the International Trust Fund

and OHR, and FERN (Free Election Radio Network) by OSCE, both created in 1996. Unlike pre-existing TV stations, OBN broadcast to the entire Bosnian state - that is, both entities. Besides making news and other informative and non-politically controlled programming available to all citizens of BiH, OBN's purpose was to support independent journalism and democratization (Udovicic et al, 2001). Members of the international community invested about \$17.5 million dollars in the development of OBN (ICG, 1997). FERN was created to impact the 1996 Bosnian elections, though it no longer focuses only on elections. It is the only radio station that broadcasts to all of BiH and does not target a particular ethnic audience. These two networks were a key component of the international community's early strategy for creating a national, non-ethnic based democratic public opinion.

The development of OBN and FERN can be classified as primarily integrative reforms. First, and most importantly, both of these networks were an attempt to create bases of identity other than ethnicity. As such, it was clearly an attempt to create cross-cutting cleavages in public opinion. In addition, because both OBN and FERN relied on independent stations to broadcast their feeds, there was a large degree of local autonomy for each individual member of these networks. However, the top-level decision-making structures at both OBN and FERN fit neither the consociational nor the integrative models of power-sharing. Instead, in both cases, outsiders were the highest power-holders. At FERN, the OSCE had the ultimate control, while OBN, though locally registered to fulfill legal requirements, was managed by the International Trust Fund in London.

So what happened with these two broadcasters? First, the structure of the Dayton Agreement provided openings for entity and local authorities to create problems for these national networks. The existing nationalist power structures strongly opposed the development

of these networks and actively worked to create problems for them. Nationalist politicians were frightened by an independent media which could question their power and these politicians used their influence over local institutions given power by the Dayton agreement to thwart efforts to develop OBN and FERN. For example, the local Telecom Agency in the Federation hindered OBN by not granting it a frequency license. Also, the national broadcasters and local authorities did not want to allow OBN to use existing transmitting infrastructure for broadcasting its programs, despite the fact that OBN and the international community were ready to pay significant amounts for using these structures. The international community, constrained by the letter of the Dayton Agreement and concerned about the paradox of creating a democratic public sphere by fiat, could do nothing. Instead, OBN was forced to use costly satellite transmission between its stations.

The other important issue was that very few people watched or listened. For example, in June through September of 2000, the average market share for OBN was about 5% compared to 30% for RTV BiH and 12% for RTRS and HRT. This made it very difficult for the international protectorate to use these networks to create cross-cutting cleavages and bases of identity other than ethnicity in the public. In 1999, foreign donors abandoned OBN and OBN declared bankruptcy. Radio FERN will likely be incorporated into the new public broadcasting network (Udovicic et al, 2001). Also, potentially important here is the names used for the networks by the international community. "Open Broadcast Network" and "Free Election Radio Network" mean nothing in any of the languages local to BiH.

Current Strategy - Development of the Public Broadcasting System

Recognizing the importance of media in creating a democratic public sphere and the ineffectiveness of its earlier strategy due to the influence of institutional legacies combined with

existing nationalist power structures and the inability to create a new public, the international community took a drastically new approach to broadcasting reforms. Instead of attempting to make deals with local authorities, the international protectorate decided to expand the powers of the High Representative with regard to media issues. The Peace Implementation Council adopted a declaration in Sintra on May 30, 1997, giving the OHR broad powers in media regulation and development (Udovicic et al, 2001).

Later that year, a decision to establish the IMC (Independent Media Commission) was laid out. This decision stretched the letter of Dayton, but was consistent with its spirit. The IMC is one of the few state-level institutions operating in BiH today. It is responsible for regulation of all broadcast media in BiH. For the purposes of this paper, its key tasks were the elimination of political influence (by nationalist power structures) on the media and the development of European standards for the media (Udovicic et al, 2001).

Under the same auspices as the decision to create the IMC, the High Representative laid out a decision on July 30, 1999, which created a public broadcasting system for all of Bosnia-Herzegovina. This plan was finalized with a second decision from the High Representative on October 23, 2000, after the legislatures in the RS and the Federation were unable to come to an agreement on legislation for the public broadcasting system. This series of decisions creates a new broadcaster - BiH PBS, a state-wide public broadcasting service, and turns the existing “national” broadcasters, RTRS and RTV BiH, into parts of the public broadcasting system. Though the exact shape of implementation of these reforms remains to be seen, the remainder of this section examines the key components of the restructuring, categorizes them according to the two models of power-sharing, and outlines the interaction between the four key factors in the development of this decision.

By the decision, RTV BiH will run two TV and two radio stations, one of each primarily broadcasting in the Croatian language and the other in Bosnian, while RTRS will broadcast one TV and one radio station, each primarily catering to a Serb audience. As such, the decision contains major consociational principles of power-sharing. However, it also adds a number of integrative flourishes. For example, each entity station will broadcast a one hour national news program, created by PBS BiH. Employment and programming at each entity station should reflect cultural and national diversities and should reflect all official languages of BiH. Also, though the High Representative appoints most positions, some posts are similar to the rotating Bosnian executive. For example, “The RTV FBiH shall elect from amongst its members its president and vice-president who may not be from amongst the same constituent people (OHR, 1999: Article 46).”

So, in contrast to the earlier strategy, the international protectorate’s new strategy takes into account the institutional legacies. First, the OHR was able to overcome some of the legacies of Dayton through a decision that gave the OHR new powers. At the same time, the decision incorporated the previous media institutions, RTRS and RTV BiH, thus undermining the local power structures’ stranglehold on these institutions. And, by allowing the continuation of these institutions, dissent by these power structures was minimized. Finally, the decision allowed the new Public Broadcasting System to build on, and combine, separate pre-existing publics.

Discussion

It is too early to say whether consociational or integrative power-sharing reforms of media, or other, institutions work best for minimizing conflict and enabling democracy. However, preliminary evidence analyzed here suggests that it is often easier to *implement* consociational reforms, at least in the beginning. This assertion is also supported by my

complementary research on media reforms in Northern Ireland. It is easier to assuage minority and power-holders fears of loss of power through reforms that maintain some semblance of previous institutions. Societies exiting from ethnic conflict often have separate institutions which are more easily molded into consociational institutions. Policymakers interested in creating the inter-ethnic cooperation that integrative power-sharing provides do have hope. Integrative principles may be incorporated into more consociational reforms. What may be particularly important here is what I term “back-door” integrative mechanisms. I am referring here, especially, to legal maneuvers like equal employment legislation which force pre-existing institutions to adapt, to integrate, while allowing the institution to continue to exist. In the long run, this may impact the type of coverage and programming at media outlets.

Speculating less, using the principle of consociational and integrative power-sharing can provide a tool for categorizing reforms in media, as well as other institutions. Researchers can use these principles in comparative analyses (across institutions, societies, or time) to examine what kinds of institutional reforms are developed and implemented in societies severely divided by ethnicity. In combination with case and institution sensitive research, policymakers can develop an understanding of on what contexts different modes of power-sharing are most easily implemented and, in the long run, how successful these strategies are.

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