Mind the just peace gaps: 
Unending conflicts and peace processes in the Middle East and Western Balkans

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Introduction

The post-cold war years have witnessed a steady proliferation of internationally sponsored peace processes and mediated peace accords aimed at ending violent conflicts. Yet, the transition from war to peace is a highly complex process and characterised by great risks involved. The peace processes that follow peace accords are often challenged by continued tensions, spoiling behaviour and risks of relapsing into conflict. Furthermore, many conflicts are characterised by a high degree of structural asymmetry of power, which produces uncertainties of the outcomes of an agreement. Hence, insecurity continues to be a major concern among the parties also in the post-agreement phase and becomes particularly troublesome if it is accompanied with violence. This is further exacerbated if the political leaders are evasive in public about the direction and end game of the peace process. Frequently, elite negotiated agreements fail to meet the expectations of ordinary people, which instead come to experience an imperfect peace (Bell & O’Rourke, 2007). Such imperfect peace may create disillusionment, dissatisfaction, and insecurity, which ultimately undermine the peace and the support of the pro-peace constituencies. Prolonged peace processes are characterised by their failure to realise the peace on the ground. In its place we see a virtual peace (Richmond, 2008). Hence, frozen conflicts are often the results of peace processes that fail to address the root causes of conflict and the underlying interests of the parties (Perry, 2009). As a consequence, the peace process is likely to end in a deadlock and freeze the conflict.

In this paper, we adopt a perspective that emphasises the continuities rather than the discontinuities between war and peace. ‘Frozen conflicts’ and ‘unending peace processes’ are two key concepts used to describe why transitions from war to peace at times are stalled in the search for a just peace. A frozen conflict is here understood as a conflict in which the direct and immediate physical violence may have decreased. Yet, the root causes of the dispute and the underlying interests of the conflicting parties have neither been addressed nor abated. Such a conflict, which lacks an unambiguous ending, continues to have a negative impact in peacetime politics and may in some circumstances lead to relapse into violence (Perry, 2009). A frozen conflict is not a static situation, but characterised by continued negotiations, revisions of peace accords, and incremental reforms, which prevent the escalation of the conflict. At times, a frozen conflict is held in place by the presence of outside actors keeping the peace but not resolving the conflict. Peace processes include both the actual peace negotiations to end violence and the post-agreement phase where the accord is implemented. These peace
processes continue over extensive periods of time and are characterised by cyclical phases of progress, deadlocks and impasses. Detrimental sticking points rather than favourable turning points illustrate what may become protracted processes (Ramsbothan et al, 2005:172). Hence, the characteristics of frozen conflicts share certain elements with protracted conflicts. During these peace processes, the parties often fail to construct a shared understanding of peace and consequently lack of a common vision of the end goals of the peace process. These unending peace processes are also set apart by the constant challenge of peace spoilers, which persistently threaten and interrupt with violent acts.

Recognising the limited knowledge and insights to these complex dynamics, we draw upon the research in the fields of peace negotiation and critical peacebuilding to theoretically explore the international and local dynamics that create prolonged peace processes and frozen conflict. We delineate three central dimensions in the transition from war to peace: (1) comprehensive and gradual approaches (2) peace gaps and spoiling and (3) liberal peace and construction of virtual realities.

To empirically illuminate these complex and unending peace processes insights are drawn from the peace processes in Israel and the Palestinian territories, and Bosnia-Herzegovina. Despite their differences in contexts, it is striking how many features these two processes share when focusing on their outcomes. Hence, by drawing upon the empirical richness of each case we believe that such an approach may generate insights beyond the unique case and contribute to theory building on peace processes in general.

**Comprehensive vs Gradual Peace Processes**

Peace agreements vary in the degree of detail they contain. They also vary as to whether conflicts over sovereignty, statehood, and identity are completely resolved, partially resolved and partially postponed. The comprehensive approach to peace making involves pushing the parties to the conflict towards reaching a broad yet often thorny compromise where nothing is agreed until all is agreed. Today, international standards have begun to normatively address and regulate peace agreements, both the processes through which they are negotiated and their substance (Bell, 2006). Comprehensive peace accords typically aim to establish or extend a ceasefire by providing framework for governance designed to address the root causes of the conflict and thus to halt the violence more permanently (Bell, 2006). This involves establishing new political and legal structures, through some form of a constitutional framework or ‘power map’ for the state (Cousens & Kumar, 2001). Ackerman (1992) has termed this a “constitutional moment” where the bodies of government and key legal institutions aimed at addressing the state’s internal and external legitimacy are set out. Hence, the expectations of peace are often times high. The peace is supposed to right wrongs, contain a new social contract and appropriate institutions. Securing a comprehensive and just peace will therefore need to rest on consensuality, negotiations and compromise in judging the justice of the peace. Post-war moments are often fraught and contested. The legitimation of the peace under such circumstances is “less often a dogmatic judgement than a question of choosing the lesser evil” according to Prins (2007:236).

In contrast to the comprehensive approach, the basic assumption of gradualism and a step-by-step approach is that sustainable peace agreements may only develop over time by sequencing peacemaking. Due to the immense complexity in several contemporary
conflicts and the deep mistrust held between adversaries it is assumed that small and incremental steps are more efficient and less controversial than trying to resolve the core issues of conflict. The gradual approach may also reduce the risk of conflict escalation. By small steps, incrementally implemented and turned into “realities”, trust may gradually be built between the parties. Hence, it may transform core conflicting issues. Despite the inherently cautious approach, it contains a number of weaknesses. First, in asymmetrical conflicts there are great risks that stronger parties may use manipulation to favour their positions. Second, the slow tempo of negotiations provides spoilers with time and great opportunities to derail the peace process. Finally, domestic constituencies often assume tangible results, but with slow and incremental changes in combination with the persistence of violence, pro-peace camps may wane (Weiss, 2003:109-112; Kelman, 1998).

A comprehensive peace agreement
The Dayton Peace Accords (DPA) is a comprehensive, framework agreement with a number of details and provisions. After the 1992–1995 secessionist wars in the western Balkans a fragile peace was negotiated at the US air force base in Dayton Ohio and signed in Paris 14 December 1995. At Dayton, the parties committed themselves to the terms of a compromise that deeply dissatisfied everyone, but that was sufficiently ambiguous for all sides to believe it could be used for their respective purposes during implementation. Despite its scope and depth, the DPA was not believed to “constitute a just peace” (New Statesman & Society, 1995: 5). The poor quality of the Dayton Peace Agreement is not atypical of negotiated settlements though it was “a particularly thorny example: ambiguous, at times contradictory, comprehensive in some respects, while incomplete in others” (Cousens, 2001:114). The chief US negotiator, Ambassador Richard Holbrooke, admits that, though many thought they were overly ambitious in outlining the foundation of a democratic and multiethnic Bosnian state in the DPA, his “main regret is that we did not attempt more” (Holbrooke, 1998:223). However, already at the time of the signing pessimistic voices predicted “it will be no wonder if the Dayton agreement breaks down sooner rather than later because of its injustice to the Bosnian cause” (New Statesman & Society, 1995:6).

Access to the negotiations leading up to the agreement was restricted. The shuttle diplomacy by US Ambassador Richard Holbrooke aimed at reaching a compromise between the political leaders of Bosnia, Croatia and Serbia prioritised “the signing of an agreement among the main war makers” according to Belloni (2001:168). During the talks that preceded the Dayton peace conference, Holbrooke’s main focus was on the actors that directly controlled the means of violence. This state-centric view of ending war meant that some of the parties to the conflict lacked representation at the table. Alija Izetbegovic represented the Bosniaks, but the Bosnian-Serbs and the Bosnian-Croats were excluded, and represented by Serbian President Slobodan Milosevic and Croatian President Franjo Tudjman, although the DPA did not extend beyond Bosnia-Herzegovina to Croatia and Federal Republic of Yugoslavia. At Dayton, state-centrism and elite focus and lack of broad participation reflected the power asymmetries that characterised the relationship between the international, regional, national and local levels during the negotiations. At the time of the agreement critics argued that “the Bosnia peace agreement initialled by the presidents of Bosnia, Croatia and Serbia … after three weeks of gruelling secret negotiations, is a shabby compromise” (New Statesman & Society, 1995). It was through EU, but mainly US using its diplomatic
powers and the US mediator’s ‘bulldozer diplomacy’ that the regional and local parties to the conflict were coerced into a compromise to the end the war in BiH. However, the Bosnian president Alija Izetbegovic claimed, the peace is “more just than continuing the war" and "a better peace could not have been obtained” (cited in New Statesman & Society, 1995:5).

The American and European ambition to end the war in Bosnia-Herzegovina meant that intense pressure was applied on the parties to the conflict to produce a treaty. The resulting Dayton Peace Accords were acclaimed as the framework for a comprehensive settlement of the conflict in Bosnia. The haste to reach an agreement meant that many details had to be overlooked. One effect was that long-term planning was sacrificed for short-term results. The insistence on promptly reaching a negotiated outcome simply meant that some difficult issues were postponed and these problems remained to obstruct and delay the implementation of the Accords. On the other hand, the DPA stopped the war and the killing, which no doubt was an important achievement. It is not suggested that this comprehensive approach to peace-making is insufficient or impossible to implement, rather that a comprehensive framework agreement needs to allow for revisions as obstacles emerge in the implementation phase.

One lesson learned from the DPA is that constructing a comprehensive peace agreement intended to last seem to be a mistake. Peace accords born out of urgency and pragmatism needs to be revisited and adapted to post-war realities in order not to become an obstacle to a self-sustainable peace and freeze the conflict. The DPA is a case in point highlighting the dilemma between expediency and durability of peace agreements. To facilitate reforming certain aspects of the peace accords without necessarily opening up the entire accord, there is a need for rendez-vous clauses, so that the parties to the agreement can revisit it and alter it to new circumstances (Aggestam and Björkdahl, 2010). Throughout the post-Dayton period, international agencies, think tanks and donors have presented various reform proposals that more or less endorse the main elements of the Dayton compromise, such as a common state, constitutional protection for the three constitutive ethnic groups and extensive individual human rights provisions. Noticeably absent from the discussion are realistic articulations of Bosnians’ own views (Belloni, 2009a:368).

The principle of gradualism in practice
From the outset of the secret negotiations in Oslo 1992, Palestinian and Israeli negotiators endorsed the principle of gradualism as the only possible way to achieve an agreement. Consequently, after eight months of intense negotiations, the parties did reach a Declaration of Principles (DOP), which was signed in Washington 1993. It stipulates interim Palestinian self-rule, but does not address the major contentious issues, such as the status of Jerusalem, borders, territories, Jewish settlement and Palestinian refugees. However, the agreement contains a time-table, which states that the final status negotiations should resolve these issues within a five-year-period.

However, a step-by-step approach, which in some contexts may be seen as a constructive way of conducting negotiations, turned in this case destructive and reinforced uncertainties about the outcomes of the peace process. The Israeli leadership continued for several years after the signing of the DOP to be evasive on issues such as occupation, Jewish settlements and a Palestinian state, which did not only cause frustration on the Palestinian side, but great confusion among the Israeli publics as well.
The principle of gradualism exacerbated an already precarious transition process characterised by existential insecurity (Grosbard, 2003; Sucharov, 2005). Instead of moving forward in steps, the peace negotiations resulted in status quo diplomacy, which was condoned to a large extent by the international community. In practice, it became a peace process that focused on stabilising the status quo rather than achieving a more comprehensive settlement. The major and prioritised concern was to keep the negotiations on track, despite the lack of direction and with the continuation of occupation. These negotiation strategies, combined with enormous political, military and economic asymmetry between the Israeli and Palestinian side, were highly damaging since it consolidated rather than removed the barriers to peace (Kurtzer & Lasensky, 2008: 67). As the Israelis and Palestinians were reluctant partners to the peace process, mediators and donors came to play a decisive role in their ambition to affect the parties’ incentives to continue the negotiations.

Status quo diplomacy is particularly troublesome in asymmetrical conflict since it tends to reinforce rather than weaken asymmetry and freeze the root causes of conflict. At the same time, it is difficult for third parties to intervene in an asymmetrical conflict as the stronger party tend to stipulate the rules of negotiations as well as persist with unilateral strategies. One recurring problem during the peace process in the 1990s was that Israel, as the stronger party, changed the rules of the negotiations on several occasions. To keep the negotiations on track US mediation applied the diplomatic principle of ‘constructive ambiguity’ to overcome disagreements. Yet, these ambiguities turned in to a quest of interpreting and re-interpreting previous signed agreements (for example, the Wye River Agreement in 1998 and the Sharm al-Sheikh in 1999), which in the end were never fully implemented. Moreover, the prioritised ambition to keep momentum in the negotiation process created a ‘false sense of normalcy,’ which inhibited critique by mediators and third parties concerning the parties’ lack of compliance of agreements. Also the previously united international stance against building Jewish settlements in the occupied territories began to evaporate and slowly the terminology changed from occupied territories to disputed territories, and Jewish settlements in East Jerusalem to Jewish neighbourhoods (Kurtzer and Lasensky 2008: 4).

The outbreak of the al-Aqsa intifada in year 2000 and with the subsequent breakdown of negotiations highlight several weaknesses with the gradual approach (Rothstein, Maoz, Shikaki, 2002; Said, 2000). As mentioned before, the Declaration of Principles does not constitute a peace agreement, but was originally intended to constitute a first building block of a comprehensive peace accord. The idea of an interim period of five years was that confidence and trust would be built, which in turn would enhance the prospects for resolving the hard-core issues on Jerusalem, Jewish settlements, Palestinian refugees, final status and borders. The final status negotiations should have resolved these issues and the parties concluded a comprehensive peace agreement in May 1999. At that time, however, the parties had failed to implement several agreements, most important Oslo II from 1995, which stipulates extensive Israeli territorial withdrawal. With the collapse of the negotiations, the peace process reached a precarious stage without any new agreed-upon arrangements. Moreover, the parties lacked an agreed ‘road map,’ which would stipulate a general direction and purpose of the peace process.

With growing international concerns of the violent escalation between Israel and the Palestinian Authority (PA), a Quartet, consisting of the US, EU, Russia and the UN,
was formed in 2002. The road map was an attempt to promote a goal- and performance-driven sequencing of the peace process, but it failed to convince the Israeli government headed by Ariel Sharon who presented a long list of prerequisites for negotiations to be resumed. Despite the current efforts by the Obama administration to resume the peace process it has yet to achieve the parties’ acceptance of the basic parameters of restarting the negotiation process, such as freezing Jewish settlements in the occupied territories and East Jerusalem.

**Peace Gaps and Spoiling**

As peace negotiations often revolve around thorny issues of security, territory, sovereignty and self-determination, they are inclined to be elite-based. As a consequence, many peace processes are conducted in secret to avoid public pressure and international media attention. However, complex transition from war to peace requires a fine balancing act of politics and negotiation. As a consequence, many political leaders are often accused of cowardice and treachery when shifting path from war to peace. This is the reason why secret peace negotiations may be sought at times to avoid arousing public anxiety, despite the fact that secrecy is seen as democratically offensive (Aggestam, 2004). Out of fear, political leaders may talk peace in private, but still talk war in public (Stedman, 1996:350).

Yet, the way negotiations are conducted have implications on how just the peace process is perceived by the domestic constituencies. As a transition from war to peace includes a reassessment of basic attitudes and values, political leaders need to obtain a national consensus and legitimacy from a considerable part of the domestic public in order to negotiate a conflict settlement (Bar-Siman-Tov, 1994). Hence, the engagement of peace constituencies is vital for any sustainable peace agreement. As Wanis-St John (2008:3) underlines, more systematic studies on the interrelationship between elite negotiations, international community and civil society is needed.

The sheer fact of being excluded from the negotiations may generate opposition. If the negotiations are framed among a wider public as elitist, exclusive and unjust, the negotiation process may be exposed to spoiling behaviour and thus jeopardise peace negotiations (Aggestam, 2006). Hence, to limit the number of parties to the process involve difficult trade-offs concerning public support and legitimacy, which may have consequences for the implementation of a peace agreement. John Darby (2001:118-119) argues for a “sufficient inclusion,” which includes those with power to bring the peace process down by violence, such as militant organisations. As Andrew Kydd and Barbara Walter (2002:264) underlines, “extremists are surprisingly successful in bringing down peace processes if they so desire.” For instance, only twenty five percent of signed peace accords in civil wars between 1988 and 1998 were implemented due to violence taking place during negotiations. Without any violence, sixty percent of the peace agreements were implemented (Kydd & Walter, 2002:264). As a consequence, these groups who attempt to spoil the peace process become veto-holders and determine the pace and direction of the peace process (Darby, 2001:118).

According to Robert Mac Ginty (2006), the disjuncture between the elite negotiated agreement and the popular experience of peace may lead to disillusionment, dissatisfaction and eventually a failed peace. Peace agreements need an honest ‘buy in’ from both elites and non-elites if they are to succeed. To address this peace gap, many internationally sponsored peace accords stipulates holding democratic elections to
anchor the elite negotiated peace accord among the citizens and broaden the pro-peace constituency. Elections are often seen as a means to seal the peace deal and put a decisive end to the violent conflict (Reilly, 2004; Höglund, 2008:85). Elections are also held to anchor the negotiated peace in the local context, ensure accountability of the elite to their domestic constituencies, legitimise the peace process, and in the end ensure that the citizens accept concessions made in order to achieve a sustainable compromise. Hence, elections are often held at an early stage. Holding early elections might also be an attempt of demilitarisation to transform rebel groups into political parties and maintain peace (Stedman et al, 2001). These elections most often are supervised and monitored by international actors who pass judgement if they are fair. Yet, as Roland Paris (2004:160) underlines there are great risks to hold premature elections as they tend to generate counterproductive results, such as ethnically based party systems, polarisation of the electorate, and large-scale violence. Politics in the shadow of war is exceptionally competitive as power-holders seek to secure their influence and protect their interests in the new political reality (Papagianni, 2009). Elections provide opportunities for political leaders to portray themselves as democrats. There may, for example, be politicians who adopt democratic language and symbols rhetorically and use their newly gained platform as elected leaders as a way to undermine the transition towards peace and democracy. Thus, the experience of democratic rhetoric and repressive rule may result in widespread resentment of the idea of democracy (Paris, 2004:161-65).

**Peace gaps and realising peace**

Peace gaps between the peace constructed by elite negotiators and the needs of the populations are common in many post-peace accord societies. Holbrooke’s strategy effectively “excluded civil society actors in the name of elite compromise and secrecy” (Belloni, 2001:163-180). As in many peace negotiations, there was a trade off between efficiency and legitimacy in the Dayton peace negotiations (Belloni, 2001). Often effective negotiations must limit the number of participants in order to reach an agreement. Including civic groups and domestic peace constituencies may on the other hand increase the legitimacy of the peace agreement and facilitate its implementation.

As a consequence of early elections democratic politics in BiH mirrors the ethno-nationalist agenda of militant parties during the war and electoral outcomes continue to favour ethno-nationalist parties. By reversing Clausewitz, Belloni (2009a:360) concludes that, “politics in Bosnia is the continuation of war by other means.” The political climate of insecurity makes it rational for Bosnians to vote for ethno-nationalist parties. Many voters feel compelled to vote for their ethnic-based parties in order to counterbalance the expected ethno-nationalistic voting of the other ethnic groups. Hence, the elections continuously produce victory for the ethno-nationalist parties (Pickering, 2007). Ethno-nationalist politicians in power exploit the Dayton Peace Accord’s partitioning of Bosnia-Herzegovina. Political dialogue in BiH is reminiscent of the immediate pre-war (and early post-war) era. Aggressive rhetoric has escalated the level of uncertainty and tension among Bosnia’s citizens to a post-war high (c.f. Ashdown & Holbrooke, 2008). Politicians from Republika Srpska and the Federation often use language designed to raise tensions and polarise the population. A common view in Bosnia-Herzegovina is that ‘this is the Balkans, and nationalist rhetoric here tend to lead to war.’ The escalating tensions and harsh rhetoric compelled the Bosnian Serb leader Dodik (2009) to write an open letter to the New York Times of 21
September 2009, asserting that “there is absolutely no threat of a return to violence.” Civil society has come to be seen as a key to ensuring that local voices are heard and as counterweight to the powerbrokers, economic exploiters and spoilers who tend to dominate in war-torn societies. It is thought to have the potential for civility, moderation, compromise and a counter force to nationalists’ grip on power (Belloni, 2001). Although a predominance of ethno-nationalistic parties, a number of NGOs and a few small multi-ethnic political parties are geared towards making a self-sustainable peace take root in the local context. An illustrative example is the NGO turned political party ‘Nasa Stranka,’ which gained a few seats in the 2008 municipal elections in the Sarajevo area. It ran on a platform of ‘new values for new politics’ highlighting tolerance, recognition and respect for diversity and gender equality, promoting these values to the broader public. Regarding the people of Bosnia to have been artificially, forcefully and territorially divided the party strives to turn Bosnia-Herzegovina into a modern, democratic and law-governed secular state. As Bosnians have been pushed out of the process of democratisation of society and the building of peace, the party attempts to find ways and means of including them into these processes and strengthen the local peace constituency (Somun-Krupalija, Interview, Sarajevo 2009). Although the party ran in the 2010 national elections for the first time, the disappointing election results means that the party continues to work in the margins of politics failing to engage the increasingly passive urban electorates that do not sympathise with the ethno-nationalist discourse.

Fifteen years after the signing of the Dayton peace accord Bosnia-Herzegovina continues to be plagued by ethnic tensions. Due to the frozen conflict, the climate of fear and uncertainty prevails long after the signing of the agreement and Bosnia-Herzegovina remains a deeply divided society with unresolved grievances. The daily struggles of multiethnic coexistence demonstrate the wide gap between Bosnia's realities and the peace treaty’s lofty goals. The expectation gap between the pro-peace constituency’s imagined peace and the popular experience of peace challenges the process of realising the peace. One reason for this gap is that the benefits of the peace fail to materialise at the local level. Partly this is due to the limited will, interest or ability of the elite to ensure that the compromises, concessions and eventually the peace accord is agreed to by the population. Partly it is due to limited state capacity to translate the peace accord into reality.

**Divided peace and the problem of spoiling**

Political leaders obviously play a critical role by guiding and injecting certainty and trust in the peace process, while at the same time including and engaging with civil society through various types of peace discourses. However, almost in every biography that has been written by Israelis and Palestinians leaders and senior negotiators, they reflect on the peace gaps and the failure to engage and mobilise more actively peace constituencies (Qurie, 2006; Savir, 2008).

One of the major challenges during the peace process has been how to manage spoilers, that is, groups who actively and often violently opposed the peace negotiations. Their power and ‘effectiveness’ is based on their successful use of framing worse case scenarios of the peace process, which have reinforced the existential insecurity among Israelis and Palestinians. The power of these groups has been enhanced by the characteristics of a negotiation process, which allows the parties to keep all options open. Also the failure of the political leaders on both sides to engage
and guide their domestic publics together with elite-based negotiations proved fatal for the peace process. It provided great space for the peace spoilers to play out worst-case scenarios. For instance, there were fierce reactions from the start among Israeli groups who framed the Declaration of Principles as a national disaster and thus accused the political leaders for treason.

On the Palestinian side, opposition was growing against Arafat and the Palestinian Authority (PA) in the mid-1990s, which was viewed as providing too many concessions to Israel. The peace process was seen as excluding the Palestinian Diaspora, and accepting a partial solution, which meant giving up Palestinian national interests without the consent of the majority of the Palestinian people (Said, 2000). The Islamic groups rejected all the agreements signed in the 1990s outright on doctrinal grounds, since they included an acceptance of Israel (Gunning, 2008). Moreover, the Fatah-led Palestinian Authority was increasingly viewed as corrupt, having abandoned Palestinian rights and resistance. In parallel, there were widespread concerns about PLO’s commitment to democracy and civil society due to Arafat’s autocratic leadership (Brown, 2003).

Contrary to the general assumption that elections may boost legitimacy to peace processes both Israeli and Palestinian election results reflected a growing resentment of the peace process. On the Israeli side, the changes of governments in 1996 and 1999 led to constant revisions of the rules of the game of negotiation. The high-level Camp David summit in the summer of 2000 resulted in failure and the legacy is still vividly remembered. A majority of Israelis blame the Palestinians for the breakdown and according to this dominant narrative, it also proves that there is no Palestinian partner to negotiate peace with. This is one major reason why the Israeli public has turned more to the right, preferring unilateralism, a policy installed by then Israeli premier Ariel Sharon and practiced by the construction of the security wall/fence and territorial withdrawal from the Gaza Strip (Makovsky, 2005; Kershner, 2005).

On the Palestinian side, parliamentary and presidential elections were held for the first time in 1996 as part of the efforts to boost the legitimacy of the Palestinian Authority, led by Yaser Arafat and his dominating faction al-Fatah. However, over time the ruling party of al-Fatah turned widely unpopular among the Palestinians since it became associated with the failure of the Palestinian Authority to deliver any economic and political gains from the peace process. Furthermore, Arafat and his cronies in the Palestinian Authority were tainted by allegations of corruption and paternalism while the Hamas were viewed as a ‘clean’ alternative guided by Islamic principles of honesty, integrity and welfare concerns for the Palestinian local communities (Gunning, 2008; Tamimi, 2007).

As part of the liberal peacebuilding strategy to hold elections as a way to anchor peace processes, the international community has encouraged and assisted the Palestinians who still live under occupation to hold elections despite the precarious and fragile transition phase. The elections have generally been recognised as free and fair by international observers. However, over time the democratic experience turned to be a painful exercise for the Palestinians. The election results have sparked diplomatic isolation, increased political fragmentation and violent competition among Palestinian factions. The Palestinian divide between the West Bank and the Gaza Strip has as a consequence been segmented (Tamimi, 2007:246-64).

Liberal Peace and Construction of Virtual Realities
The liberal peace embraces democracy, peaceful conflict resolution, market values, protection of human rights, good governance, rule of law, reconciliation and has become the favoured approach and panacea of the international community to address contemporary conflicts. Hence, peace negotiators have adopted this influential idea of the liberal democratic peace as the ultimate goal for the peace talks. Both the elite negotiators delivering the peace and the grass roots receiving it become acculturated to the liberal democratic peace idea. As the liberal democratic peace is perceived as superior to alternative understandings of peace, little space is left during the negotiations to explore local varieties of peace and to incorporate local articulations of peace (Mac Ginty, 2006). Yet, in conflict-ridden societies little efforts are made to assess the appropriateness of the international idea of liberal democratic peace to the existing local post-war reality. Rather than favouring domestic reconciliation and development of locally flavoured political institutions, international assertiveness in these societies has reified domestic cleavages, perpetuated existing hierarchies and cemented power asymmetries. In their desire to shape the local peacebuilding processes, international peacebuilding actors have separated the implementation of peace from politics, regarding peacebuilding as mainly a technical issue, which does not require popular participation. This heavily securitised and institutionally oriented liberal peacebuilding approach separates peace from politics and has often de-politicised local politics. Yet, many internationally sponsored peace agreements are highly political as they outline the new social contract for the post-war order (Cousens & Kumar, 2001). Limiting citizen participation to casting votes in elections will leave the society with empty ‘virtual’ institutions and with a peace not of their own making. In order for peace to be perceived as legitimate and carry authority with the local society, the institutions underpinning the peace need to result from domestic processes not be constructed by international actors (Ottaway, 2002). Despite a growing awareness of the challenges and obstacles to localise the liberal peace in war-torn societies, limited efforts are made to explore the friction between this global norm package of the liberal peace and locally constructed visions pertaining to peace. The key questions of how and why the interplay between global and local agency results in a peace far removed from the internationally promoted liberal democratic peace are still unanswered. Broad local participation in ‘peace politics’ beyond exclusive elite negotiations and a ballot box-approach to democray participation seems vital to localising the peace. Yet, the peace that emerges from the international-local dynamics is a peace that is mediated and adapted by local actors in order to resonate with the local post-war context. Hence, what comes out of this frictional process is a hybrid peace (Richmond, 2011).

Virtual peace in BiH
At first glance the peacebuilding efforts seems successful, yet a closer look reveals that the state risks collapse due to political gridlock and dysfunctional institutions. Hence, Bosnia-Herzegovina is far from a poster-child of international peacebuilding. Adopted as an Annex to the Dayton Peace Accords (Annex IV of the DPA) the Constitution of Bosnia-Herzegovina has guided the peace- and state-building efforts of the international community. Hereby, the DPA set the foundation for a decentralised system of governance based on the principles of power-sharing that in practice undermined the state’s authority and efficiency and sowed the seeds of instability and political paralysis. This “Frankenstein-Constitution” created a weak federal state where two highly
autonomous entities were established – the Serb-dominated Republika Srpska and the Bosniak-Croat Federation of Bosnia-Herzegovina with the latter further sub-divided into 10 separate cantons (Belloni, 2009a; Perry, 2009).

Most Bosniaks believe that BiH cannot function under the Dayton Constitution without international supervision as Republika Srpska can block most state decisions and institutions. The past years have shown that this is a legitimate concern. Hence, reform efforts that can lift the state paralysis and make the Bosnian state functional and efficient are badly needed. Many of these initiatives were proposed by representatives of the international community, political parties or by a relatively narrow circle of civil society.

The central state and its institutions have been painstakingly assembled and upheld by successive high representatives from the first UN High Representative Carl Bildt to the latest Valentin Inzko. As a result, the Bosnian system of governance is cumbersome and ineffective creating political stalemates, a breeding ground for corruption and therefore at times overruled by the High representative’s Bonn-powers. Post-war Bosnia is in much need of its ethnic factions pulling together, but rarely have they seemed so far apart. Absent a strong High Representative fears are that BiH would tend to gravitate towards dysfunction and state dissolution. Many Bosniaks as well as international experts fear that Republika Srpska will try to secede if not controlled by the internationals or a strong, reformed Bosnian state. Milorad Dodik the current President of Republika Srpska, however, claims to respect the Dayton Peace Accords and act according to the constitution.

Against this background, the UN Security Council prolong the presence of EU force (EUFOR), tasked with ensuring the compliance with the 1995 Dayton Peace Agreement for another 12 months (UNSCR 1948) the 19th of November 2010. Bosnia's progress towards eventual EU membership is fitful at best, delaying the end of both international military and civilian supervision of the peace. In June 2008, Bosnia-Herzegovina finally signed a Stabilisation and Association Agreement (SAA) with the EU bringing it one step closer towards membership (Council Regulations EC no 594/2008). However, the BiH is not on an irreversible path to EU-membership. If existing tensions are not contained, BiH could slow integration for the entire region. While political reinvigoration is sorely needed, politics is still dominated by nationalist rhetoric and the state appears divided along ethnic lines. This virtual state constructed by international peacebuilders is in deep political crisis, and it seems unable to move forward towards a self-sustainable peace, membership in the EU and NATO and ultimately sovereignty with the departure of the Office of the High Representative.

Efforts to build a self-sustaining peace in BiH has to a large extent meant that the international peacebuilding community used the heavy foot-print approach which involved large international engagement to remove political spoilers that have been judged to act against the internationally sponsored DPA, and a large military and political presence to provide a stronger sense of stability. Through this approach a virtual peace (Richmond, 2004) rather than a real peace materialized on the ground and invested with political and social legitimacy has emerged. Such an intrusive approach has contributed to creating a culture of dependency and a lack of ownership of the peace. It seems that the internationally designed and sustained institutions are not durable when the international community withdraws. The Bosnian state institutions are currently under great stress and are critically challenged by local dynamics and actors.
This in combination with the inability to form a government after the 2010 election means that Bosnia now faces its worst crisis since the war (ICG 2011).

**Virtual statebuilding in a ‘new Middle East’**

The Middle East peace process was from the start framed according to the notion of a liberal peace while the occupation was still in place. The DOP was packed and ‘marketed’ with economic cooperation and prosperity in sight. The Israeli foreign minister Shimon Peres (1993) in his timely book on the *New Middle East* outlined his ideas of peace and economic interdependence, drawing heavily on the European experience. Consequently, there was a great influx of international actors and donors after the signing of the Declaration of Principles. As the World Bank concludes, the Palestinian territories receive the highest sustained rate of per capita disbursements to an aid recipient in the world since the Second World War (quoted in Brynen 2008: 234).

Yet, in comparison to other places, with extensive peacebuilding missions as in East Timor and Kosovo where the international community has played a leading role, such a forceful international engagement has been lacking in the occupied territories (Brynen, 2008:234).

The construction of a virtual Palestinian entity lacks any contiguous territory, at most controlling 40 percent of the West Bank. Moreover, as Amal Jamal (2005:166) points out, the type of political regime with the subsequent Palestinian institutional structures were primarily conditioned by the agreements between the PLO and Israel. The institutions did not reflect the internal Palestinian political dynamics and hence emptied formal institutions of legitimate rule. No impartial judicial institutions were in place and in the mid-1990s there was an increase of ‘quick security trials’ in the pursuit to combat terrorists. As Rex Brynen (2008:231) states, “key donors seemed to be willing to overlook abuses if carried out in the name of security”. Consequently, the political patterns stemmed primarily from the tasks given to the PA during the transitional phase where the security forces expanded dramatically in order to meet security demands made by Israel (Jamal, 2005).

Many of the peacebuilding efforts by international actors have generated counterproductive results, partly because they have been badly planned and relied heavily on virtual governmental institutions and local NGOs with little transparency and accountability. There has also been a trend to redirect funds to the newly established Palestinian Authority at the expense of NGOs, which as a consequence have been reduced in number during the peace process. Moreover, donor assistance, according to Rex Brynen (2008:236), has partly distorted local institutional developments where donors often seem to play the leading role in setting development priorities. More seriously, funding to NGOs has exacerbated tensions in the Palestinian society by the inclination of donors to fund mainstream Fatah institutions and thus using political affiliation as a key criterion of economic assistance. The ‘professionalisation’ of local NGOs in the way of ‘project logic’ and vocabulary consistent with Western donors, has resulted according to Isla Jahad (2004) in a greater dependence while harsher competitions of economic funding between local NGOs. For instance, Kenneth Brown, et al (2008:17) concludes that the people-to-people (P2P) programme, which was supposed to support bi-communal projects, resulted in a failure because “people from both sides appeared to be more concerned about fulfilling their donors’ agenda rather than focusing on the stakes of those bi-communal activities.”
The framing and local ownership of a peace process is intimately related to a just and durable peace. The imported and to large extent imposed liberal peace agenda, which guided the peace process and still does, has created a virtual Palestinian entity in partial poverty, aid-dependency, and with growing internal and violent division between Palestinians. Paradoxically, this development has consolidated a status quo situation, which makes the realisation of a two-state-solution more distant.

Conclusion

In the last two decades, we have come to witness a tremendous expansion of various peacebuilding missions around the globe. In many ways we live in an “age of peacebuilding” (Philpott & Powers, 2010) where ambitious international interventions to settle wars through negotiations and to build sustainable peace have intensified. Yet, friction frequently emerges in the diverse and unequal encounters between the international community, the local elites and local grassroots where new power dynamics are produced through the intersection of the internationally promoted liberal democratic peace with local expectations and experiences of peace in the global/local conversation. The internationally promoted peace becomes charged and changed by its interaction with the post-war society. Attending to the “frictional” interaction in peacebuilding means that both repressive top-down imposition of peace and locally integrated and creative alternative notions of peace are captured. This opens up for an understanding of local grass-root actors not only as oppositional since encounters between the international and the various local levels “can be both a site for empowerment and for domination” (Mannergren-Selimovic 2010: 24).

Our analysis illustrates, the transition from war to peace is hampered by several uncertainties about the future. In this chapter, we have identified some, but by no means all relevant factors, which may contribute to the freezing of conflicts and consequently the unending nature of peace processes. The characteristics of frozen conflicts and unending peace processes generate fertile ground for the (re-) emergence of conflicts and relapse to violence.

First, the conditions of unending peace processes may be traced to the discrepancy that exists on the one hand between the virtual realities constructed according to an overly ambitious peace agenda by the international community, and on the other hand the contrasting realities on the ground where the root causes of conflict are still being experienced. As our empirical analysis illustrates, status-quo diplomacy has been guiding both peace processes, which have meant that the primary concern has focused on stabilising the status quo rather than resolving the underlying causes to conflict. To revisit and revise a peace accord may be necessary, which the Dayton agreement illustrates. However, the major challenge lies in how to balance reinterpretations and to avoid the vicious circles of re-interpretations of signed peace agreements as a way to avoid implementation as we have seen in the MEPP. In such situations, a third party may constructively engage in the form of “meditration” (Belloni, 2009b).

Second, uncertainties and lack of progress in a peace process may over time demobilise peace constituencies and result in peace fatigue. Since the underlying causes of conflict are still present the sense of injustice may grow stronger among ordinary
people and trigger politics of fear, which provide spoilers with space to play out worst-case scenarios. It is also important to recognise the mobilising power that the history of conflict still has in conflict-ridden societies, which are characterised by existential insecurity. Moreover, peace fatigue is strengthened by the negative experience and legacy of previous peace negotiations.

In conclusion, the importance of making peace visibly in practice for ordinary people should not be underestimated while at the same time allowing space for peace to be locally grounded over time. As our empirical analysis vividly shows, the peace gaps have not only been broad, but widened with the ensuing peace processes. Elections are generally assumed to play a legitimating role, but as recognised in the two cases they have instead generated counterproductive results in the form of intensifying ethnic divide and the fragmentation of peace politics, which ultimately undermine the prospect of a sustainable peace. Consequently, frozen conflicts and the unending nature of conflicts present major challenges for the international community to engage constructively in peace efforts and require revisiting most of the practices developed under the umbrella of liberal peacebuilding since the end of the cold war.
References


Politika, September 13, 2010.


Somun-Krupalija, Authors' Interview, Sarajevo 2009


UNSCR 1948 19th of November 2010, New York.
