RECONCILIATION AND *RESSENTIMENT*: THE ROLE OF NATIONAL

IDENTITY IN THE NORM DIFFUSION PROCESS

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ABSTRACT

Intergovernmental organizations like the European Union use legal documents to disseminate membership and policy norms into potential new Member States' domestic policies and governance structures. Legal documents may be a successful mechanism to transfer norms at the level of government, however, encouraging citizens to adapt and conform their views on national identity may present a challenge. This challenge is especially strong when a nation requires reconciliation due to recent grave conflict. Croatia, the newest accepted member of the European Union, is experiencing the need for such reconciliation after grave conflict, and presents an opportunity for intergovernmental institutions like the European Union to learn how to successfully enable norm transfer beyond the policy level and through to the social level. This project utilizes Croatia as a case study to demonstrate how specifically integrating the unique conciliatory needs of the domestic public when employing norm diffusion is a necessary improvement to the standard process.

BIOGRAPHICAL SKETCH

Tiffany G. Williams produced this project as a graduate student at the Cornell Institute for Public Affairs at Cornell University while earning a Master of Public Administration. Her master's concentration was Government, Politics, and Policy Studies with a focus on International Institutions and Affairs. The topic of this Thesis was selected due to the author's deep interest in institutional change within the multilateral system; institutional and policy development in transitioning or post-conflict nations; and, most importantly, social justice and equality for marginalized groups. After graduating in the summer of 2016, the author plans to continue her research on these issues, and will pursue a doctorate degree to achieve this. More specifically, she expects her future doctorate research to focus on the evolving membership norms and international influence of the European Union.

"The mystic chords of memory will swell when again touched, as surely they will be, by the better angels of our nature." – Abraham Lincoln

This is dedicated to the socially marginalized, the oppressed, and the victims and survivors of political conflict, who, in the end, were told to put what remained of their faith in new policies on old paper.

ACKNOWLEDGMENTS

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LIST OF ABBREVIATIONS

EU – European Union

ICTY – International Criminal Tribunal for the former Yugoslavia

NGO – Non-governmental Organization

SAA – Stabilisation and Association Agreement

TRC – Truth and Reconciliation Commission

UN – United Nations

WWII – World War II

PREFACE

This Master's Thesis paper presents the result of rigorous coursework and in-depth research conducted both independently and inside the classroom.

I conducted independent research in The Hague, Netherlands during the summer of 2015 to develop and inform this project. Primarily, I reviewed relevant literature and archives available, at times exclusively, in the Peace Palace Library, and conducted passive participant observation at the ICTY when hearings were open to the public. Additionally, I had the opportunity to connect with the Institute for Historical Justice and Reconciliation housed at Leiden University to engage the institute's extensive knowledge on reconciliation and reconstruction in the former Yugoslavia.

While all of my master's coursework was principally focused on international affairs and institutions and grounded in political theory, the courses that heavily informed this project were International Security, International Criminal Law, Nonviolence and Political Theory, International Public and NGO Management, and Qualitative Research Methods.

CHAPTER ONE: INTRODUCTION

This thesis examines the results of the confrontation between policy norm diffusion and views on national identity, as relevant to the fields of international affairs and public policy. The expectations of policy norm diffusion is well documented and widely accepted by intergovernmental organizations and national governments alike (Seybert, 2012). However, in actuality, when standard norm diffusion processes and mechanisms are employed, the results reveal common obstacles related to public views and domestic beliefs on national identity, which are exacerbated in post-conflict societies (*Ibid*). This project examines such results, which are collected by examining post-conflict nations that simultaneously experience extensive norm diffusion and reconciliation measures. These results can then be used to reevaluate the general understanding and expectations of standard diffusion mechanisms and processes. This is important to all actors involved in the diffusion process, namely, intergovernmental organizations, domestic governments, and other non-State actors, to support the success and reliability of what can be a lengthy and at times costly process that may or may not succeed. A recent situation that meets the criteria for this study is the relationship between the successor States[1] of the former Yugoslavia and the European Union (EU) vis-à-vis accession. Croatia is the first of these States that experienced grave conflict to achieve EU accession. The particularities of Croatia make it a valuable example of what actually occurs when norm diffusion is confronted by national identity. This project utilizes

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[1] This refers to the nations formed after the breakdown of the former Yugoslavia, which are Slovenia, Croatia, Serbia, Macedonia, Montenegro, Bosnia-Herzegovina, and Kosovo.

Croatia as a case study to examine how views on national identity and reconciliation confront the standard norm diffusion process, analyzes the results of this effect, and demonstrates how to better incorporate these results. The research question engaged to achieve this is,

"How can the role of national identity and reconciliation be reevaluated
to improve standard norm diffusion processes and mechanisms?"

First, the relevant literature and research concerning reconciliation and national identity is discussed with special attention to the case study of Croatia, which then incorporates the purpose and process of norm diffusion considering all stakeholders. This discussion begins with a review of reconciliation, understood here as bringing restoration and closure socially to a grave political conflict. The grave costs of violent conflict make reconciliation a domestic and international interest. Additionally, reconciliation is recognized as a peacekeeping tactic to be executed before and during the early phases of post-conflict reconstruction (United Nations Peacebuilding Support Office, 2010). While this is sensible, it is necessary to consider whether it is sufficient to require that reconciliation methods merely produce a departure from grave violence (Clark, 2012). The different levels of reconciliation and their value will be discussed to engage this question. Specifically, the different levels are "functional reconciliation," or a return to social order, which is easier to detect; and, "regenerative reconciliation," or the healing process that occurs both individually and between groups, which is more obscure, personal, and difficult to capture politically (Clark, 2012: pp. 239). Through engaging the

case study of Croatia, this project will demonstrate the importance of regenerative reconciliation and how this more personal process can be acknowledged and incorporated politically. To do this, the study examines the historical and political background of Croatia that makes it unique. This includes its position in the Austro-Hungarian Empire connecting the nation to the Western ideals of "European-ness" (Thomas, 2015: pp. 31), as well as its communist history and subsequent recovery. Clearly, Croatia is a region that has a varied history, which can have an interesting effect on national identity. Additionally, considering the Croatian War and the grave conflict between ethnic groups, it can be expected that differing views on national identity may exist within the same nation (Clark, 2012; Ognyanova-Krivoshieva, 2005, Ramet, 2007). This is not a singular national experience. However, the type of conflict experienced, subsequent international intervention, and recent accession to the EU present an ideal situation in which to examine the actualities of norm diffusion.

After discussing the historical and cultural relevance of Croatia, the study provides a framework for understanding endorsed norms and the diffusion processes. This section discusses how domestic obstacles can affect the diffusion process for international norms and what type of normative frame is necessary to prevent this, using examples from Croatia's reconciliation and EU accession journey. Intergovernmental organizations like the EU and the United Nations (UN) deploy norm diffusion processes when negotiating the accession of a potential new member State and while intervening in transitioning States to disseminate their membership norms (Seybert, 2012: pp. 30-65; Thomas, 2015). Although the exact wording used to describe these norms has evolved

over time, all iterations of these norms include democracy, equal human rights, economic growth and promotion, and rule of law (Thomas, 2015). When negotiating accession, the onus is on the State to adopt the normative qualities of these institutions into its national policy and domestic climate. Evidently, Croatia is considered to have successfully achieved the complete adoption of the EU's membership norms into its national policy because it became a union member in 2013.[2] As the first of the former Yugoslav successor States that experienced grave conflict to enter, Croatia presents a distinct opportunity for intergovernmental organizations and international institutions to learn how to best interact with other similar States that are presently negotiating EU accession. The Croatian government has faced obstacles that caused it to waver or lag regarding EU membership norms during accession negotiations as well as post-EU entry, and it is necessary to determine the causes for this behavior to better understand how the domestic climate confronts norm diffusion (Badanjak, 2015; Boduszynski, 2013; Seybert, 2012: pp. 30-65; Trauner, 2011). In order for norm diffusion to truly take effect and influence a nation as a whole, the norms must transfer beyond policy and into the social realm of the domestic climate. Therefore, the necessary considerations here are: what are the public or social domestic obstacles to the diffusion of endorsed norms in Croatia; and, what can they teach intergovernmental institutions about the effect of standard diffusion mechanisms when considering other former Yugoslav States? By examining the public's response to documented policy and government behavior vis-à-vis the endorsed membership norms, we can understand the actualities of the norm diffusion process, instead of merely documenting and referring to the expectations.

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[2] Please see the interactive timeline of the Croatian accession process ending in official member status on July 1, 2013, available at: http://ec.europa.eu/enlargement/countries/detailed-country-information/croatia/index_en.htm

As mentioned previously, the analysis of the literature reviewed for this study demonstrated the relationship between national identity and reconciliation with norm diffusion to be one where the former may be obstacles to the latter. As this project will show, the dearth of analysis that examines these problems as a connected obstacle revealed the research question engaged throughout this study. Following the in depth discussion on relevant literature will be a detailed review of the methodology employed to analyze this research question against the evidence presented in the reviewed literature and against relevant, real-world observations. Lastly, potential solutions to the research question will be offered through an examination of the obstructing nationalistic views present in Croatian society, which demonstrate how intergovernmental organizations can better approach domestic obstacles during the norm diffusion process.

CHAPTER TWO: LITERATURE REVIEW AND BASIS

Understanding Reconciliation

As mentioned in the previous section, there is a difference between functional reconciliation and the "deeper, more personal" regenerative reconciliation (Clark, 2012: pp. 239). Functional reconciliation, as marked by a return to overall social function and order, is easier to document and politicize (Clark, 2012). Additionally, as a standard, this is the level of reconciliation attempted by domestic and international governance (*Ibid*). Where international intervention is concerned, functional reconciliation can appear to be

a sufficient marker of membership norm diffusion, as social function and order are typically indicative of documented policies that meet membership norm requirements (Clark, 2012; Thomas, 2015). Organizations like the EU and the UN utilize endorsed norm diffusion mechanisms and processes to employ reconciliation measures from the outset, meaning when first approaching international intervention of a grave conflict (European Union, European Commission – External Affairs, 2009; United Nations Peacebuilding Office, 2010).

Admission Commissions: Reconciliation as Recognition of Facts

An example of a standard international approach to reconciliation is a Truth Commission, which some consider to be a valuable fact-finding and documentation method, as it is important to keep a record of grave conflict (Brahm, 2007: pp. 16-19). Additionally, regarding the "Truth" component, hearing alleged war criminals admit to the atrocities they committed, and potentially reveal the final end of victims, is believed by the international community to be therapeutic for a recovering nation[3] (Brahm, 2007: pp. 20). Tribunals and other legally enforced trials are also believed to meet these requirements of discovering and documenting the facts of a conflict, while also offering certain protections for the rights of the accused (Brahm, 2007: pp. 31). For the Yugoslav Wars conflict, the International Criminal Tribunal for the former Yugoslavia (ICTY) was established by the international community, and is still on-going as of the time of this

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[3] For an overview of the internationally maintained view on Truth Commissions, please see the description offered by The International Justice Resource Center, available at: http://www.ijrcenter.org/cases-before-national-courts/truth-and-reconciliation-commissions/.

project.[4] There were many attempts to carry out a thorough and successful "Truth and Reconciliation Commission"[5] (TRC) for the conflict in the former Yugoslavia, which was to be directed by regional authorities (particularly in Bosnia-Herzegovina). However this proved to be a repeated failure because the region was still experiencing conflict eruptions and was suffering from weak institutions (Dragovic-Soso, 2016). Additionally, conflict between the regional and intergovernmental actors weakened the efforts of the TRC (Dragovic-Soso 2016: pp. 302-308). To support the mission of the TRC, intergovernmental actors should have utilized a different approach that better included citizens, and better vetted civil society and non-governmental organizations (NGO), separate from the tribunal, instead of exclusively focusing on state- and institutional-reconstruction, thereby clashing with regional authorities that were not well equipped to administer the TRC (Dragovic-Soso, 2016: pp. 308-310; Paffenholz, 2014; Paffenholz, 2015a; Paffenholz, 2015b). The purpose and mission of the TRC was not only to uncover the truth, but more importantly to achieve reconciliation for the many citizens of the former Yugoslavia. Decisively including the citizen perspective may have posed a challenge due to the differing views on who was the blame (Clark, 2012; Dragovic-Soso, 2016), but it is the only way to achieve reconciliation (Clark, 2012; Paffenholz, 2014; Paffenholz, 2015a; Paffenholz, 2015b). Moreover, the clashing views between groups carried over into government, which is precisely why regional authorities were not best suited to carry out the TRC on their own (Clark, 2012; Dragovic-Soso, 2016).

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[4] Please see the "About the ICTY" webpage for an overview of the basic information on this tribunal. Available at: http://www.icty.org/en/about.
[5] Please see the speech presented in Sarajevo, 12 May 2001 "The ICTY and the Truth and Reconciliation Commission in Bosnia and Herzegovina" supplied as a press release by the ICTY in The Hague, 17 May 2001. Full text found at: http://www.icty.org/en/press/icty-and-truth-and-reconciliation-commission-bosnia-and-herzegovina

Citizen Participation and Inclusion

Citizens know the conflict in their nation better than anyone. They recognize social shifts and experience new tension in their communities before the implications of these experiences find their way into the new policies enforced by a new or altered political regime (Clark, 2012; Minkkinen, 2007). Without being consulted or given the opportunity to participate, citizens in emerging conflict zones are forced to silently comply, flee, or fight the danger of their altered society. This type of exploitation can be initiated by outside forces, internal forces or a rebel regime, or the recognized governing body of the sovereign State.

Regardless of where a conflict situation fits in the larger typography of armed conflict, the international justice field claims to have its finger on the pulse of each instance, poised to intervene as soon as it can safely do so in order to initiate peace talks and establish a peacebuilding and state-reconstruction mission based on whichever identified approach best fits the particular conflict (European Union, European Commission – External Affairs, 2009; United Nations Peacebuilding Office, 2010). The main objective of these interventions is to push the state-reconstruction process towards democracy by including a constitution that incorporates human rights law and that establishes policies in support of rule of law (Brahm, 2007: pp. 20; European Union, European Commission – External Affairs, 2009; United Nations Peacebuilding Office,

2010). These components deter further conflict by establishing a legal framework that holds perpetrators accountable and protects the most vulnerable – at least in print.

The oppressions that led to the armed conflict must be addressed in order to move towards reconciliation (Clark, 2012; Minkkinen, 2007; Paffenholz, 2014; Paffenholz, 2015a; Paffenholz, 2015b). These types of grave conflicts are the result of potentially centuries-long sociopolitical and socioeconomic oppressions that establish deep-seated resentment and hostility between groups, referred to as *ressentiment,* or deep resentment, in the social science field (Nietzsche, 1887; Minkkinen, 2007). Comparing the documented policies created as a result of post-conflict reconstruction and state-building to the local views of the communities most affected by the conflict will demonstrate the extent to which international political intervention included the necessity of reconciliation for citizens in the reconstruction process (Clark, 2012).

Reconciling Ressentiment

The key indicator of what allows these injustices to occur is the remaining lack of trust between social groups (Clark, 2012: pp. 249-250; Niebuhr, 1932: pp. 113-141). Putting anti-discrimination policy on paper is a worthy step towards fighting oppressions and group clash, especially when clear enforcement policies are included. However, policies on paper are only as good as the groups with the power to enforce them. If there has been no reconciliation and equalization, the social resentment will remain buried in the society's foundation and will eventually erupt (Kumar, 2009; International Institute,

2003). When one group has been allowed to oppress another (or others), and this group continues to hold political power, regardless of a change in policies on paper, it is important to consider whether these policies include a record of past oppressions and a discussion of how the society would be shamed to experience a reemergence of these crimes (Kumar, 2009; International Institute, 2003). Moreover, the voice of the oppressed must be explicitly included (Robbins, 2011; Robbins 2012) because the previous oppressor-group's version of why oppression is criminal is suspect (Niebuhr, 1932: pp. 113-141). If only this version is included, the lack of consideration for the oppressed groups' views shows a hesitance for change (Robbins, 2011; Robbins 2012; International Institute, 2003). Therefore, when regional authorities attempted the TRC for the former Yugoslavia it was likely to fail, as they were susceptible to taking sides rather than working towards mass inclusion. This international standard for achieving reconciliation may not be a complete waste in all cases. However, this case required an approach monitored by non-regional authorities with a mission to reach the breadth of affected citizens because "[e]xternal actors can support… individuals, but they cannot replace them" (Dragovic-Soso, 2016: pp. 310).

The issue with the representative voice on paper captured by fact-finding missions and historical reports is that it is not necessarily 'the voice of the masses.' True democracy requires mass inclusion and mass participation (Paffenholz, 2014; Paffenholz, 2015a; Paffenholz, 2015b). Regarding TRCs, the procedures may not necessarily include the public, may only invite certain groups, or the availability of the findings may be limited (Brahm, 2007: pp. 31), which hampers the effectiveness and validity of the

operation. The longitudinal study "Broadening Participation in Peace Processes" (Paffenholz, 2014; Paffenholz, 2015a, Paffenholz, 2015b), categorizes negotiation models used in ongoing or post-conflict peace talks based on the level of participation of citizens (Appendix One). These models, while originally offered to provide knowledge on negotiating or mediating peace agreements, can inform any reconciliation measure and its efforts to include the public because they are based on the level of participation and inclusion of citizens. As mentioned, the inclusion of citizens and their view(s) on reconciliation is critical to gaining an understanding on the resentment that engendered the conflict in order to hopefully avoid a reemergence of past oppressions and future eruptions due to continued social distrust (Clark, 2012; Paffenholz, 2015a). So, the degree to which citizens are included is therefore indicative of the intention to acknowledge the conflict and the need to reconcile its effects (Clark, 2012; Paffenholz, 2014; Paffenholz, 2015a, Paffenholz, 2015b).

When rebuilding a post-conflict society, mass inclusion and mass participation should be encouraged, if not required (Paffenholz, 2015a; Paffenholz, 2015b). Marginalized social groups must also be allowed to express themselves and present their views on how to reach reconciliation (International Institute, 2003). Moreover, the questions held by these groups and the truths about the conflict that they want on the record must be heard (Robbins, 2011; Robbins, 2012), not to demand revenge and continue the conflict, but to incorporate the story of how a society is capable of reaching the lowest level of co-existence exemplified by armed conflict in the hopes that it does not happen again.

Because Croatia is used as a case study here, the following section tells that story as it occurred in Croatia, and not just the journey from war torn region to EU Member State, but by beginning with its ties to European Imperialism that allow other EU Members to accept Croatia and its heritage as "Western enough" (Thomas, 2015; Trauner, 2011).

Historical Background – Imperialism to Communism to Democracy

Western Europe has associated Croatia with its traditions and cultural and religious heritage due to its inclusion in the Austro-Hungarian Empire (Boduszynski, 2013: pp. 39, 50-51; Ramet, 2007: pp. xiv-xv, Thomas, 2015: pp. 31; Trauner, 2011: pp. 63). Croatia's Western European roots positioned the State to be a prime candidate for accession to the EU, yet one that would have to wait its turn thanks to its communist influences. This explanation is accepted as the reason why Croatia was not included in an earlier enlargement round with its former imperial Austro-Hungarian neighbors like Hungary and Slovenia (Boduszynski, 2013: pp. 39-40; Ognyanova-Krivoshieva, 2005: pp. 23). This view indicates that Croatia could have been an EU member sooner, if not for the irksome after-effects of a grave civil war that its neighbors, including Slovenia another Yugoslav successor State, had not experienced. Conversely, what separates Croatia from its former Yugoslav neighbors that also experienced grave civil war is the Western European view that accepts Croatia as truly European due to the imperial connection (Boduszynski, 2013: pp. 39), as well as the fact that Croatia is considered to

be more "Christian," while the other Yugoslav successor States have higher Muslim populations (Thomas, 2015; Thomas, 2016).[6] In any case, Croatia was the first of those nations that experienced severe conflict to become a member of the EU, and has been deemed a success by the international community (Badanjak, 2015: pp. 57; Boduszynski, 2013: pp. 39). The unique position of Croatia as part Western Europe and part Western Balkans, and its journey to "return to Europe" (Seybert, 2012) discussed in the following section, allows it to serve as an exemplar for how to understand the region and its likely confrontation with diffusing EU membership norms into national policies and societies.

The Journey from Imperialism to Communism

Despite attempts in the late 1800's to establish an independent Croatian nation-state, Croatia fought together with Austro-Hungary in World War I (Ramet, 2007: pp. xv). By 1918, the southern Slavic regions of the Austro-Hungarian Empire formed their own Kingdom, although it was not officially named Yugoslavia until 1929, and a decade later, in 1939, Croatia was established as a province of Yugoslavia (*Ibid*). When Yugoslavia was divided between the fascists and the royalists during World War II (WWII), Croatia was independent, but effectively existed as a satellite state ruled by the Nazis and an existing fascist group, the Ustasa (*Ibid*). This ultranationalist fascist party enacted a genocidal movement against the ethnic Serbs, Roma people, and Jews in the

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[6] Thomas engages the discussion on how the perceived "Christian" heritage of Western European is used as a tool to challenge and confront the membership applications of neighboring States with higher Muslim populations.

Croatian region.[7] The main goal was to homogenize Croatia as a nation of Croats, even at the expense of independence. The Ustasa were fixated on expelling Serbs and other ethnic and religious minorities, and although this group vacated after WWII, the damaging effects of the crimes they committed to establish a pure Croat nation re-surfaced later on (Ramet, 2007: pp. 2.) The anti-fascists in the region fought against this rule, and after some teetering between communism and monarchical control, Yugoslavia was re-formed and established as The Socialist Federal Republic of Yugoslavia in 1946 under Josip Broz Tito's rule (Ognyanova-Krivoshieva, 2005: pp. 6). Originally formed in alliance with the Soviets, Tito severed ties with the Soviets in order to establish an independent communist nation-state (*Ibid*). Yugoslavia remained relatively united under Tito until his death in 1980 (Ognyanova-Krivoshieva, 2005: pp. 6-7).

Becoming a Democracy: Institutional Support During Cross-Border Conflict

Tito's death in 1980 resulted in a shaky political climate for Yugoslavia (*Ibid*). Roughly a decade later, the federation was experiencing a breakdown. The Serbian republic endeavored to assert its dominance and attempted to change the constitution in their favor with the claim that Serbs were the most prominent group in Yugoslavia (Ognyanova-Krivoshieva, 2005: pp. 4-7*).*[8] This led to ripples of backlash against Serbia and the ethnic Serbs living outside of Serbia throughout the other Yugoslavian republics, and violent conflict between Serbs and other ethnic groups spread. Concerning Croatia, in

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[7] Trifkovic, S. (2000 April 21). The Real Genocide in Yugoslavia. *The Center for Peace in the Balkans Chronicles*. Available at: http://www.balkanpeace.org/index.php?index=article&articleid=13742
[8] Presumably the belief was that if they were the most dominant group, they would always win a majority vote if they united their voting power.

1990 the government of the then Croatian republic responded by forcefully replacing police forces in Serbian populated areas, which led to Serbian revolt throughout Croatia (Ognyanova-Krivoshieva, 2005: pp. 6-7; United Nations, Department of Public Information, 1996).

Croatia once again claimed independence in 1991, which was supported by the international community, in particular the UN and EU (United Nations, Department of Public Information, 1996). This sparked a civil war with ethnic Serb citizens in the region who wished to maintain the Yugoslav federation. They attempted to achieve this by occupying the Croatian territory, as well as eventually maneuvering to establish their own republic in the region (Ognyanova-Krivoshieva, 2005: pp. 13; United Nations, Department of Public Information, 1996). The United Nations Protection Force intervened in this matter by helping the Croatians achieve their primary goal of defending and maintaining their borders (United Nations, Department of Public Information, 1996). As of 1995, the Croatians won the conflict and the Croatian nation-state was born (Croatian Constitution, 2013: Historical Foundations Article; Trauner, 2011: pp. 63). Soon after, regions that were considered to have defected, whether forcibly or otherwise, were reintegrated into the new State, further solidifying the validity of Croatia as a State.

While Croatia remained ethnically diverse during this time, and historically always has been, the conflict was primarily between the Croats and Serbs (Ognyanova-Krivoshieva, 2005). As previously mentioned, the ultranationalist Croat group the Ustasa violently attacked ethnic Serbs during WWII, and when violent conflict between Croats

and Serbs once again ensued in the late 1980's and 1990's, this time the Serbs were seemingly to blame due to their attempt at asserting dominance over other republics in the former Yugoslavia (Ognyanova-Krivoshieva, 2005: pp. 5). Still, Croatia did commit human rights violations and war crimes such as unlawful prison camps and assassinations during their civil war, and they had to be held responsible (Martindale, 2003; pp. 12-13).[9]

Despite the episodes of severe conflict, the Serbian and Croatian governments in time began to cooperate with each other as they cooperated with intergovernmental organizations (International Court of Justice, 2015). Despite the amicable relations between these two nations, there have been suits filed by both sides. Namely, Croatia vs. Serbia for the crimes committed during the breakdown of the Former Yugoslavia, and Serbia vs. Croatia for crimes committed against Serbians during WWII and immediately before and during the civil war (International Court of Justice, 2015). Both nations have worked within the boundaries of international law to respond to these suits, which demonstrates the strong influence of intergovernmental organizations. However, while these organizations and their membership norms have managed to constrain or guide State behavior in Croatia in some respects, some Croat citizens are still pulled toward favoring their views on national heritage and identity.[10] The Croatian national identity

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[9] 1) Amnesty International, (2004 Dec 13). Croatia: A shadow on Croatia's future: Continuing impunity for war crimes and crimes against humanity, EUR 64/005/2004. Available at:
http://www.refworld.org/docid/42ae98ac0.html
2)"Successful Retrial for Case Lora." (2006 March 3) Humanitarian Law Center Press Release. Available at:
http://web.archive.org/web/20070318140459/http://www.hlc.org.yu/english/Facing_The_Past/index.php?file=1312.html.
3) Also, refer to the complaint filed by the former Federal Republic of Yugoslavia Committee for Gathering Data on Crimes Committed Against Humanity can be found at: http://www.slobodan-milosevic.org/documents/reports/10-a.htm
[10] Specific examples of this claim regarding some Croat citizens will be explained subsequent sections.

and historical heritage are important enough to be included in the national constitution (Croatian Constitution, 2013: Historical Foundations Article), which highlights the need to examine the interplay between the reality of the Croatian domestic climate, with special consideration for national identity and reconciliation status, and the level of membership norm diffusion.

Comparing Former Yugoslav States

The most current version of the Croatian Constitution opens with the "Historical Foundations Article" that provides a historical narrative of the national identity of Croatia, beginning with the seventh century and ending with the Croatian civil war, or what the document calls The Homeland War,[11] fought 1991-1995 (Croatian Constitution, 2013: Historical Foundations Article). This introductory Article concludes by directly naming the nation's ethnic minority groups and promising that these groups are guaranteed equal rights and status with Croat citizens, "in compliance with the democratic norms of the UN," for the sake of peace, stability, and national order (*Ibid*). When compared to the constitution of the only other former Yugoslav successor State to enter the EU, Slovenia, it is clear that Croatia made a deliberate move to simultaneously admit to its grave, ethnically-motivated civil war while promising that it now conforms to the Western European ideals of human equality and democratic peace, which are also EU membership norms (Constitution of Slovenia, 1991; Croatian Constitution, 2013). Slovenia apparently did not see the need to name its ethnic minorities or describe a

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[11] Previously referred to as the Croatian War.

historical quest towards creating a national identity (Constitution of Slovenia, 1991), which signals that the EU also did not see the need. Instead, Slovenia adopted typical and generalized human rights language that states, "…everyone shall be guaranteed equal human rights…." (*Ibid*). Using language like "all" or "everyone" instead of directly naming groups should be inclusive enough to make the point of holding equality as a national objective, and for most nations it is. To be clear, the Croatian Constitution does use similar language in other articles throughout the document (Croatian Constitution, 2013). However, the inclusion of an introductory article that specifically mentions ethnic minorities is a discrete occurrence. Croatia, in light of its grave conflict and its sins against democratic peace and equality,[12] needed to make a bigger statement to demonstrate its acceptance of internationally endorsed norms.

The primary reasons Croatia included this Article and other constitutional adaptations were not only to remain compliant with accession negotiations, but also to appeal to more liberal voters. The Croatian Parliament held a vote to implement these constitutional changes in 2010 in preparation for an expected national vote on EU membership.[13] The accession negotiations were considered final in 2011, and the membership vote was held in 2012. The vote passed with over 66%, however, the voter turnout of approximately 43.5% was considered low.[14] Right-leaning, more nationalist members of the government considered this to be a bad sign that the Croatian people did

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[12] Referring to the grave and extensive war crimes discussed earlier.
[13] Zakošek, Nenad. (2014 July 12). "Croatia One Year Later" [London School of Economics Research on South Easter Europe Blog]. Available at: http://blogs.lse.ac.uk/lsee/2014/07/12/croatia-one-year-later/
See also: "Croatia aligns its constitution with EU." (2010 Jun 17) Euractiv. Available at:
http://www.euractiv.com/enlargement/croatia-aligns-constitution-eu-news-495330
[14] *Ibid,* Zakošek

not support EU accession (Badanjak, 2015: pp. 59: Boduszynski, 2013: pp. 52, Boduszynski, 2014: pp. 501-503). Still, the vote passed, the accession negotiations were finalized, and Croatia officially entered the EU in 2013.[15]

Policy adaptations like the Historical Foundations Article signal the desire to incorporate democratic norms into national policy. This maneuver is directly connected to the norm diffusion mechanism employed by the EU to develop a more democratic, Western European-like nation-state in Croatia. To develop a complete framework for understanding norm diffusion mechanisms and processes, the discussion on norms in the next section begins with how they can be defined and how they operate. Then, it incorporates their perceived value to intergovernmental institutions and describes the processes institutions employ to diffuse these norms into national policy. After providing this framework, the discussion refers back to the distinct domestic climate in Croatia to examine the responses to the norm diffusion process in this State, and what lessons intergovernmental institutions, like the EU, can learn from them. As discussed earlier, Croatia is unique because both Western Europe and the Western Balkans can claim it. Because of this, and supported by the fact that Croatia was the first highly conflict-torn State in the Western Balkans to enter the EU, Croatia is a prime example for the EU to understand how the norm diffusion processes may play out in other Yugoslav successor States.

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[15] *Ibid,* Zakošek

The Expectations of Norm Diffusion and Institutional Participation for Croatia

As mentioned throughout, this study examines the interplay between a domestic climate and the transfer of norms from intergovernmental organizations. It is necessary therefore to separate norms according to a connection to context, meaning whether a normative value is considered to be universally relevant or developed to serve a specific domestic context. In her work on New European Members' "return to Europe," Lucia Seybert (2012) provides a basis to establish this necessary distinction between what she labels "universal" and "particular" norms (Seybert, 2012: pp. 30-65). The key distinction is that universal norms typically refer to "international norms," which consequently also serve as the EU's membership norms, while particular norms originate in a specific society relevant to its specific domestic context and "pass through" the international medium in order to initiate change elsewhere (Seybert, 2012: pp. 33-40). Particular norms, because of their context specific origins, may adapt when introduced to new societies. In fact, they must if they are to fit the new society and be accepted, rather than remain out of context and face rejection (Seybert, 2012: pp. 33-34). Universal norms are not specific to a particular domestic context, and are typically developed by intergovernmental organizations, like those discussed in this study, where multiple partnered States can shape and implement them. While the multi-State influence on these norms means they should have universal relevance (or close to it), this does not negate domestic differences. Still, these States' participation in norm development demonstrates their desire to implement the norms; therefore, these norms often transfer together with

particular norms, where one may frame the other depending on the circumstances (Seybert, 2012: pp. 35). The particular, context-specific norm can be used as a tool to make the universal norm more palatable for the society in which it is introduced. Thus, the success or failure of universal norm diffusion in highly nationalistic States may depend on the strength of the particular norm frame used to transfer the universal norm. The successful pairing of the two norm types may be the key for successfully transferring internationally endorsed norms in societies that are resistant or offer some domestic challenge.

It is important to understand the origin and function of intergovernmental organizations to grasp the purpose and process of international norm diffusion. Because these organizations' essential objectives involve peace, respect and protection for citizens, and mutual progress, they are fundamentally concerned with the human rights that automatically place someone or some group in a victimized position when those rights are violated; consequently, the violation of these rights is a violation against the shared human experience itself (Seybert, 2012: pp. 41-43).[16] Therefore, these organizations endorse democratic peace norms as their membership norms, since such norms are generally accepted as an antithesis to violent conflict and are believed to encourage mutual respect between sovereignties (Moaz & Russet, 1993).

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[16] The UN General Assembly passed The Universal Declaration of Human Rights in 1948, and it was globally acknowledged and approved again in 1993, coincidentally corresponding with the breakdown of the former Yugoslavia (Seybert, 2012: pp. 30-31).

For transitioning States like Croatia where equality between ethnic groups is essential for reconciliation, the democratic peace norms may clash with the State's national identity and beliefs, and will require framing by a particular norm to achieve successful norm transfer. Nevertheless, the expectation remains that the endorsed membership norms will be diffused throughout national policy and fully implemented by State government if they want to participate in the intergovernmental organization. Therefore, at a minimum, the complete adoption of membership norms in national policies is necessary to demonstrate that a new or transitioning State is fit to participate in the network of intergovernmental organizations and international institutions. Still, why should States that did not participate in the original development and implementation of norms later adopt them into their national policies? Intergovernmental organizations and international institutions do not forcefully control, constrain, or coerce States. Instead States *voluntarily* participate in these institutions because they believe they can gain some real benefit (Keohane, 1995).

The Croatian government clearly believed that EU membership offered real benefit. As demonstrated with the example of the Constitution, the Croatian government implemented significant policy changes in order to successfully meet accession negotiation requirements - without being confident in the Croatian population's desire to enter the EU as made evident by the low voter turnout (Badanjak, 2015: pp. 59). Meanwhile, despite the low turnout, the EU membership vote passed well over the

majority. This demonstrates that an influential amount of citizens who agreed with entering the EU, and presumably agreed with the membership norms diffused throughout Croatian policy, were passionate and invested enough to show up and vote in favor of EU membership. As Seybert describes, "How easily [states will] be able to implement internationally 'endorsed' policies depends on the degree of corresponding support for these in the underlying domestic discourse" (Seybert, 2012: pp. 36). This can have two implications: 1) norms that seem to be an imposition from "international pressure" will have difficulty passing through the domestic context and achieving acceptance; and 2) if a State government wants an international norm to successfully transfer, they are responsible for properly pairing it with a particular norm (Seybert, 2012: pp. 36-37). Of course, there are ways to avoid a national vote if citizens are likely to reject a government supported norm; however, citizen reaction and public opinion will still have an effect on a norm's successful diffusion, if not through policy documentation then through its transfer to the social climate via policy enactment and enforcement.

This means the onus is not only on the State to demonstrate value to the EU and similar institutions by diffusing membership norms into policies; the State is also responsible for demonstrating the value of those norms to the public so they can fully, and enduringly, diffuse through to the social level. This demonstrates that in actuality, the diffusion process has multiple levels to reach completion. If the success of this relies solely on domestic governance, the members of which are also susceptible to unfavorable nationalistic views as previously discussed, the diffusion process may never truly reach the expected level of completion. This divergence between the actualities and

expectations of standard norm diffusion when it is left vulnerable to domestic confrontation must be addressed by the intergovernmental organizations.

The ultimate purpose of norms, particular or universal, is to provide accountability (Seybert, 2012: pp. 42). According to the diffusion process described earlier, a State adopts norms to demonstrate its intention to uphold the standards endorsed by the institution with which it wishes to participate, and diffuses these standards into national policy to bolster accountability. The appeal to individual autonomy and respect for the human experience offered by internationally endorsed human rights law (as it is now customary law) ostensibly entails that most would agree with the veracity of these rights. However, different domestic views on the relationship between an individual and their country or group can translate into different views on the importance of individual autonomy as a natural right (Ramet, 2007: pp. 2-4). As mentioned, this type of unresolved domestic issue leaves the diffusion process vulnerable to obstacles. This is why a particular norm frame may always be necessary, even regarding transferring basic human rights norms into a new domestic environment.

Creating Obstacles: The Importance of Particular Norm Frames

Croatia's government has wavered on occasion concerning adopting certain policies in accordance with the SAA (Badanjak, 2015; Boduszynski, 2013; Trauner,

2011).[17] Still, typically, it ultimately complies. This wavering is worth considering, yet the responses of Croatian citizens are more valuable to understanding whether the outcomes of the norm diffusion process in Croatia are a success, as voters ultimately determine the norm transfer's fate. To examine outcomes, I will consider instances where Croatians defied norm transfer, and engage an explanation in a later section.

Examples of Group Resentment and National Identity Crisis

Although the Serbian and Croatian governments have demonstrated improved relations as discussed earlier, the actions of Croatia towards Serbian issues and citizens has at times been questionable (Human Rights Watch, 2014). As mentioned, the national Constitution directly names the nation's ethnic minority groups and promises them equality with Croats – while making the deliberate point to list Serbs first – so minority groups should experience social equity in Croatia. However, this social equity was not always immediately granted. For example, the signing of the SAA coincided with the decision of the ICTY to transfer relevant cases to Croatia, which seemingly granted Croatia a special status (Boduszynski, 2013: pp. 48). This decision was justified by claiming that Croatia was well on its way to becoming a stable nation that could handle its own cases (United Nations, General Assembly, 1991). However, many Croat citizens – and right-wing members of the government – were against trying the cases transferred from the ICTY because they considered the defendants to be war heroes (Boduszynski,

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[17] For additional examples see: European Commission Press Release "Commission takes action to ensure Croatia correctly implements the European Arrest Warrant" (2013 Sept 18), Available at: http://europa.eu/rapid/press-release_MEMO-13-793_en.htm

2013: pp. 48-50). The Croatian government moved towards cooperation with the court despite national uproar and claims that the ICTY was a fundamentally "anti-Croat court," which signaled that it supported the ICTY and its international norms (Martindale, 2003: pp. 8). Maintaining its position to cooperate paid off with consistently positive reports from the ICTY and the EU on its handling of the cases (United Nations, General Assembly 1991, 1992, 2015). Not only was the goal of appeasing the EU and abiding by its membership norms met, but the citizen protests eventually dissipated as well (Martindal, 2003: pp. 8). However, their sentiment did not disappear. It resurfaced later on after accession negotiations were finalized.

Another example of a negative response to incorporating endorsed membership norms into administrative policy is the demonstrations held to protest signage that included Cyrillic, a Serbian language, in Vukovar, a town with a significant Serbian population (Ilic, 2014). Posting bilingual signage was sensible due to the population composition of the area, and it was aligned with the minority rights policy objective to let all Croatian citizens know that they are equal to Croats (Badanjak, 2015: pp. 74; Ilic, 2014). More specifically, this decision complies with Article 12 of the Croatian Constitution, which states, "In individual local units, another language and Cyrillic or some other script may be introduced in official use together with the Croatian language and Latin script under condition by the law" (Croatian Constitution, 2013: Article 12). Again, some Croat groups found signs with Serbian language to be an affront to the former soldiers who fought against Serbians for an independent Croatia in the civil war (Ilic, 2014). In response to the demonstrations, the town of Vukovar removed the signs,

knowing that doing so was against national policy (*Ibid*). Also, citizens against the signs collected more than 500,000 signatures to pressure the Croatian government to amend constitutional policy in order to limit the laws stipulating the level of population composition required to post multilingual signs (*Ibid*). This demonstrates the problem with minimal trust between groups as discussed by Clark (2012). Although it may seem like groups are tolerant and orderly, further clashes will likely occur when enacting the policies necessary to comply with membership norms, or to otherwise conduct post-conflict state-building.

While the petition to amend the constitution regarding population composition was ultimately denied, the Croatian government was very sluggish in responding to the backlash, which began in 2013, coincidentally a few months before the nation officially entered the EU (*Ibid*). The lag in making this decision can be explained by the friction caused by the pressure from citizens confronting the obligation to comport with the EU membership norms diffused in its national policy; or it could possibly be due to the government's desire to support the veterans of its "just, legitimate, and defensive war" (Croatian Constitution, 2013: Historical Foundations Article), which would exemplify favoritism of Croats over other ethnic groups. Either way, this is evidence of unresolved domestic conflict presenting a heavy obstacle to the expectations of the norm diffusion process. Moreover, the decision of the local government to remove the signs is highly important. This disconnect between local and State government demonstrates that an effective particular norm frame is lacking. While some would say this situation was a success because of the ultimate decision to uphold rule of law, the State's final position

on the issue will be demonstrated by whether, and if so how quickly, it posts multilingual signs in other areas with significant minority populations (Badanjak, 2015: pp. 74). For this manifestation of international norms to be successful, it will be necessary for Croatia to identify and employ a particular norm frame central to change in local government.

While the ethnic clash between Croats and Serbs may not be the only problem Croatia will face during its initial 'return to Europe' phase,[18] the issue is entrenched in its national history and still prevalent in its national identity. If Croatia is to adapt its national identity to be more inclusive and promote ethnic equality, a better particular norm frame is required to successfully transfer the membership norms of equality and human rights. Therefore, it is necessary to grasp the Croatian experience with nationalism, or national identity. Although the Historical Foundations Article mentions many ethnic groups, the combined ethnic minority population is still quite small in number compared to the Croat population.[19] Thankfully, not all Croats agree that minority groups should remain suppressed. This demonstrates that differing views on nationalism operate within the Croatian domestic context, yet also shows promise that identifying a particular norm frame to guide and support the transfer of the international equality norms is possible. Still, despite this promise, approaching norm diffusion with an incompatible or inappropriate frame is precarious, and this is unfortunately what occurred.

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[18] For example, Croatia passed a vote against marriage equality that resulted in the inclusion of a same-sex marriage ban in its Constitution in 2013. This is against international norms as it victimizes the lesbian-gay-transgender-queer-bisexual community by prohibiting equal status. (Badanjak, 2015: pp. 72-73).

[19] The Croatian population is approximately 90% Croat according to the most recent 2011 census. Please see: https://en.wikipedia.org/wiki/Croatia#cite_note-Census2011-nationality-178

In addition to holding votes on applying for EU membership, surveys and public opinion polls were conducted in Croatia, where the results were "indifferent to skeptical." (Boduszynski, 2013: pp. 52, Boduszynski, 2014: pp. 501-503). In "Euroscepticism, the Croatian Way: Explaining Croatian Attitudes towards the EU," Boduszynski offers that Croatian views on EU membership are contradictory. Namely, that the "spectrum of attitudes towards the EU [include] fearing the EU for its adverse economic impact; loathing the EU for its actual and perceived slights against Croatian sovereignty and national pride; and yet, at the same time, desiring the EU as a potential source of benefits, such as a higher living standard and increased mobility, as well as securing Croatia's 'proper' place among the European nations" (Boduszynski, 2014: pp. 507). Croatian citizens are increasingly obtaining EU funding to establish civil society groups, follow career and educational pursuits, and support research,[20] supporting the view that, like their government, citizens recognize the economic benefit of the EU. This may suggest that 'domestic economic benefit' is the most successful particular norm frame to mobilize membership norm diffusion. Explicitly, that framing the package of membership norms with the particular, context-specific promise of a renewed Croatian economy recuperated from its Yugoslav past will allow the membership norms and their enforcement to find favor with and ultimately be accepted by Croatian society. Additionally, it seemingly would be simple for an organization with extensive resources like the EU to tout this membership benefit in order to improve domestic opinion. After all, it is difficult to argue

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[20] Please see footnote #13, Zakošek, Nenad.

with economic improvement. However, this common, limited view is a prime example of ignoring the domestic obstacles ahead, in this case reconciliation needs and a national identity crisis, when determining an appropriate norm frame. As Boduszynski explains,

> "For such Croats, who continued to hold 'rosy views of what it was like under the socialist Yugoslav government', there was also the fear that foreign companies would buy up Croatian companies, fire employees, and thus increase unemployment even further. But the idea of cherished Croatian land and resources in foreign hands also transcended economic fears and struck directly at insecurities relating to Croatia's still fresh memories of the struggle for national self-determination. Such anxieties could easily be exploited by anti-EU forces. Croatian anti-EU activists appealed to a Croatian fondness for local cheese and cream, sold fresh in markets and on the street by elderly women. Such appeals became a rallying cry for Eurosceptic Croats who feared that EU health regulations would prevent these iconic women from selling their products. Thus, we witness the convergence of economic worries with concerns about the preservation of Croatian identity…." (Boduszynski, 2014: pp. 512).

Intergovernmental organizations like the EU may expect this skepticism, but the mere expectation of resistance is not sufficient to understand it on a case-by-case basis, as is necessary. Upon first glance this appears to exclusively be a rift between a potential Member State and the EU. However, recognizing the lack of an inclusive national

identity and deep reconciliation, as described in the previous section's real-world cases, makes it clear that this skeptical view of outsiders, including the EU, is born from the remaining resentment between groups that engendered civil war. If the "Croatian fears are ultimately bound up with the Croatian identity" (Boduszynski, 2014: pp. 516), and the ruling group's view of national identity is one that praises the pro-Croat Homeland War (Boduszynski, 2014: pp. 519), this elucidates why the Croatian government and Croat citizens have resisted EU membership norms. Anti-EU, highly nationalist citizens believed that EU membership norms like minority rights and equality would force the newly established Croatian nation-state to admit its wrong-doing and provide equal opportunities for those who were once enemies. This was too unconscionable for them to accept outright. For minorities, while the promise of economic support and an honorable mention in the Constitution seem supportive, the domestic obstacles confronting norm diffusion spurred continued resentment for the majority group and the Croatian government in general.

Boduszynski states, "[s]trong national identities can prevent the adoption of a plural sense of identity, [i.e.] incorporating a 'European' as well as a national identity, that can lead to positive views of the EU" (Boduszynski, 2014: pp. 506). This statement attempts to offer a more appropriate particular norm frame for Croatia – incorporating an "EU identity" with their national identity. Still, this falls short because the divergent positions on national identity within Croatian society reveal the potential misstep in assuming there is one, common identity view that can frame norm diffusion. In any case, presenting an exclusively pro-European (or pro-EU) identity from the outset instead of

understanding the reality of a national identity crisis is sure to be met with resistance and result in the reemergence of group conflict. This example demonstrates the patent connection between reconciliation and national identity, and proves how approaching membership norm diffusion without first capturing the full picture of a post-conflict society can in fact cause a deeper rift and further conflict.

The Croatia case study illustrates how using a wrong or an inappropriate frame hinders norm diffusion. In this case, the EU's decision to use the clichéd views of 'pro-economy' and 'pro-Europe' created conflict that could have been avoided with a different approach. Because particular norm frames mobilize universal norms at the domestic social level, it is necessary to gain a deep understanding of the affected society before executing the diffusion process. What the above example also makes clear is that intergovernmental organizations and domestic governments are not the only actors involved who frame norms. The anti-EU groups prepared their own pro-Croat framing devices to combat EU membership norm diffusion. Again, skepticism and resistance may be expected; however, acknowledging the root of this response is the key to avoiding these domestic obstacles. For Croatia, the resentment and national identity between groups was obscured by a degree of functional reconciliation. Therefore, instead of the pro-economy, pro-Europe position, a particular norm frame should have been extracted from Croatia's unique domestic experience. The discussion in Chapter Four further engages this position and provides detailed recommendations for applying particular norm frames appropriate for Croatia and similar post-conflict nations. First, the next

section discusses differing views on nationalism to further explain the effects of national identity.

Understanding Views on Nationalism

A national identity can be understood to encompass many features – language, ethnicity, shared cultural traditions and practices, shared history, common and distinct social practices, and common political views to name a few. In her work "Civic Values and Democratic Transition," Sabrina Ramet (2007) distinguishes between civic nationalism and liberal nationalism to inform how nationalism can function in a nation like Croatia where members of one's nation and members of one's acknowledged group may be perceived as different. She discusses that nationalism, or a national perspective, can include a wide range of experienced understanding, from "civic mindedness and cultural protectionism" to "xenophobia and bigotry" (Ramet, 2007: pp. 2), which fits the Croatian society's predicament based on the cases discussed earlier.

For Ramet, liberal nationalism includes community-based "sentiments of attachment to national history, national symbols and national culture," while civic nationalism is connected to the political identity of a nation that is not bound by ethnicity, culture, or language (Ramet, 2007: pp. 1). Ramet states that liberal nationalism's community-based national ideals can be exclusionary because they are intrinsically grounded in a particular culture, ethnicity, language, etc., while a political identity is more open and may be supported by a balanced electoral system. Proponents of liberal

nationalism claim that while one nation may uphold its own culture, it does not necessarily entail that it would deny another nation the right to do the same for its own (Ramet, 2007; pp. 6); however, this is because the nations would be intrinsically separate and it does not account for the phenomenon of a multi-cultural society in a single nation. So, for a multi-ethnic, highly diverse singular nation like Croatia, liberal nationalism can be problematic.

In addition to Croatia's ethnic diversity, diversity in language, cultural traditions, and religion also exist. The human rights-based international norms can serve diverse nations like Croatia by providing a level playing field where all humans are equal regardless of community-based features, and without giving special credence to any community-based feature or practice in particular, as long as human rights are not violated. As Ramet describes, if membership that is grounded in a community-based feature is required in order to belong to a nation, this is sure to exclude groups and promote others that occupy the same nation. If citizenship or approved residency is the only requirement to belong to a nation, as can be the case with civic nationalism, mere humanity will suffice.

This nationalism distinction demonstrates that Croatia, or at least some of its majority ethnic group, is still operating under a mindset of community-based nationalism. Strongly promoting a common political point of view, particularly one that is anti-fascist as the region once agreed to remove fascists groups (Ramet, 2007: pp. xv), will be important for Croatia to successfully diffuse international norms. While the low voter

turnout regarding EU membership may signal that not all Croatians feel strongly about their Western European kinship, the majority of those who did vote demonstrated a favorable view of the EU and presumably of international norms. Identifying and appealing to these individuals can help the Croatian government cultivate a united front in favor of a democratic regime. Additionally, thanks to the constitutional changes implemented in 2010, Serbians are represented in parliament. Favorable representation of these members in public institutions and national media is necessary to demonstrate to ultranationalist-leaning Croats that reconciliation is possible, and that they can leave the past behind in their new, democratic State. Furthermore, continuing to promote the benefits provided by EU membership will continue to cast the EU and its norms in a positive light. However, the previously discussed evidence on reconciliation issues and group conflict demonstrates that these obstacles will remain if not appropriately addressed.

Lessons Learned

The above literature review presents common themes and some disconnecting views. In the next sections I will describe how I collected, reviewed, and analyzed the evidence presented in this literature, which led to the research question engaged in this project, as well as the solutions to the question as presented in Chapter Four.

CHAPTER THREE: METHODOLOGY

Description

In addition to reviewing academic literature, data collection through archival research and legal and policy document analysis were necessary to develop and inform this study's research question. Specifically, these activities appraised the framework for understanding the history of Croatia and the former Yugoslavia, and the manifestation of institutional change within intergovernmental organizations (specifically the EU and UN). An analysis of international humanitarian law, peacebuilding and reconciliation initiatives, international court systems, and how these structures have developed since the Yugoslav Wars was achieved during rigorous research seminar courses and while conducting independent research in The Hague.[21]

As discussed throughout this study, a Constitution is highly relevant to a nation as well as to international actors involved in post-conflict reconstruction. As also mentioned above, the Historical Foundations Article in the Croatian Constitution (amend. 2013) is widely accepted as both a reconciliation measure and a marker of membership norm diffusion due to its guarantee of equal rights and democracy. This Article is crucial because it directly captures the present need for reconciliation due to recent grave conflict and ethnic clash in Croatia. Furthermore, this Article demonstrates the degree to which

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[21] The research in The Hague is described in the Preface (pp. viii)

the reconstructed nation aimed to diffuse EU membership norms[22] by specifically naming oppressed or at risk groups, and offering the current political view on national identity. Therefore, this Historical Foundations Article was used as a measure against which to gage the diffusion of membership norms throughout other policy areas and in society. The academic literature, policy and legal documents, and archival documents were analyzed for emerging themes, which were evaluated against this measure.

Measuring Norm Diffusion: An Analysis of Emerging Themes

To demonstrate how the Historical Foundations Article is the representative evidence of the EU's enacted norm diffusion process and its SAA mechanism, the salient principals of the Article are highlighted in bold below.

"Respecting the will of the Croatian nation and all citizens so unwaveringly expressed in free elections, the Republic of Croatia is hereby established and shall further develop as a **sovereign and democratic state in which equality, freedom and human and civil rights are guaranteed and secured, and economic and cultural advancement and social welfare are promoted** (Croatian Constitution, amend. 2013; pp. 2)."

These principals are direct restatements of EU membership norms. Additionally, the

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[22] Specifically, this Article was first compared to the requirements described in the SAA between Croatia and the EU to guarantee its validity as a measurement.

highlighted section of the Constitution immediately follows the previously discussed naming of minority groups (Croatian Constitution, amend. 2013). It is important to understand how these principals are defined or perceived in order to use them as a measure. The perception, relevance, and application of these principals within the EU and the larger international community significantly change over time and depending on context (Thomas, 2015). Still, the international standards for terms like "democracy" and "human rights" can be accepted in this context. What is more important is the existence of *each* membership norm simultaneously, not for example, claiming democracy in a constitution, yet lacking equal elections open to all groups or barring certain ethnic groups from particular rights or public participation. Additionally, determining whether membership norms were prevented, destroyed, or protested, and by whom can easily measure their prevalence and level of diffusion into society. This valuable application of the measure was used to make findings and conclusions in the Croatia case study where, as discussed, normative policy changes in favor of the Constitution and its principles were in fact prevented and protested at various levels of norm diffusion.

So, the measurement used in this study is not a number, data point, or baseline trend. Instead evidence that these norms mentioned in the Article do or do not prevail in society is collected and assessed. As discussed in Chapter Two, the intergovernmental organizations enacting the norm diffusion process do not consider merely promising these norms in documentation to be sufficient, especially in light of the shared interest of reconciliation as a guarantee against continued or recurring conflict. This further supports this study's position that discovering social evidence of membership norms, including the

results of reconciliation methods, will demonstrate whether the nation in question measures up. This is why it was vital to review archives and academic research concerning social function, group behavior, and government behavior. Fortunately, ethnographic research and other qualitative research have been conducted within the Balkans, such as the Clark (2012) study. Still, these studies, possibly due to scaling issues, are very territory-specific, meaning limited to smaller towns or groups. More research throughout the larger Balkans area is necessary to continue to illuminate the diffusion process in the former Yugoslav successor States experiencing EU accession negotiations. For this project, it was possible to review these more narrow studies, as well as news and intergovernmental agency reports pertaining to public views and response and government behavior, as shown in the previous section. These studies and reports were analyzed according to the membership norm diffusion measure, the Historical Foundations Article, as well as in consideration of Croatia's new EU membership, which is supposed to be the ultimate evidence that the nation has achieved the expectations of norm diffusion. The principal finding was that despite the Historical Foundations Article and despite Croatia's accession to the EU, the norm diffusion process met with obstacles that inhibited its full transfer throughout Croatian society.

As discussed above, group conflict and hesitant cooperation by the government occurred during and after Croatia's accession to the EU. Studies like Clark's (2012) and Paffenholzs' (2014, 2015a, 2015b) proffer that this conflict and unfavorable government behavior occurs because the utilized reconciliation measures were insufficient. Yet, Clark (2012) states that reconciliation beyond minimal trust "in a society where heinous war

crimes were committed just … years ago … is perhaps unrealistic," while also offering that regenerative reconciliation does not "develop overnight [and] is the end product of a long, painful journey" (pp. 249). This asserts that regenerative reconciliation is requisite; yet waiting until it is achieved in absolution to consider applying for EU membership may be unreasonable. Meanwhile, according to Ramet's study (2012), it can be inferred that conflicting views on national identity between groups, which will likely be community-based, represents the key to understanding group conflict and lack of trust. Still, how to address either of these personal, social views through governance is the lingering question.

The amalgamation of the views presented in the reviewed literature is as follows: 1) The view of the EU and Croatian government that norm diffusion in Croatia was achieved as evidenced by certain documented policies resulting in Croatia's accession to the EU;

2) The view that regenerative reconciliation is truly necessary to achieve norm diffusion at the social level (specifically of EU membership norms), otherwise conflict caused by resentment between groups will persist (Clark, 2012); and,

3) The view that consensus on national identity is needed to achieve norm diffusion at the social level, otherwise conflict will persist specifically between groups with differing notions of their nation's identity and the individual's role in that nation (Ramet, 2007).

It can arguably be said that all three views are correct. The finding made in this project, and a point that is generally neglected in the existing literature and research, is the need to accept all three views in order to include all stakeholders in the norm diffusion process.

This study found that the regenerative reconciliation (2) and national identity crisis (3) views should not be considered separately, and that understanding this is necessary in order to address the fact that the international community seems to presume complete norm diffusion based on the verification that membership norms are included merely in documented policy. The following section will further discuss this finding in terms of applying the necessary, and missing, particular norm frame for Croatia.

<u>CHAPTER FOUR: FINDINGS AND RECOMMENDATIONS</u>

Chapter Two discussed how the functional reconciliation stance of intergovernmental organizations is not sufficient to avoid reemerging group conflict while new policies are enacted. Furthermore, evidence was presented that demonstrated how working towards an end to resentment between groups in order to reach regenerative reconciliation is the key to ensuring conflict will not recur. It is clear that the Croatian government understands this, as it attempted to address this in its Constitution by naming minority groups and promising equality. Still, while the conflict between groups is not as it was during the nation's civil war, evidence of group conflict exists, even in government. It is true that the EU should respect the sovereignty of its Member States. However, concerning Yugoslav successor states, its involvement is not merely to negotiate terms of membership. The EU is playing a vital role in the reconstruction of the policies and institutions of these States. As mentioned, the onus is on the potential Member State to cooperate; still, the EU has an opportunity during the accession process where membership norm diffusion is executed. This opportunity is, of course, to shape a transitioning nation.

In terms of the norm diffusion process for Croatia, the problem is that an inaccurately identified particular norm frame was employed, which led to the confrontation from domestic obstacles that inhibited full membership norm transfer. This shows how, despite knowledge of what is documented about a State's history and conflict, it is important to not assume the standard, carbon-copy diffusion mechanisms will be sufficient for every potential member state (Clark, 2012; Minkkinen, 2007; Robbins, 2011; Robbins, 2012). As the case of Croatia demonstrates, while incorporating national identity was necessary for the EU to frame its membership norms (Boduszynski, 2014: pp. 506), this could not be properly achieved without understanding how insipid reconciliation fostered a national identity crisis. As the EU continues to interact with potential Member States in transition, it will be important to centralize the fact that nations are unique entities. For example, other nations may experience similar issues as Croatia, but with different roots (e.g. the difference between the effects of colonization versus the after-effects of communism), and nations with similar backgrounds are nevertheless likely to have dissimilar group resentment. Therefore, before believing that the diffusion process will successfully transfer norms to the social level, it is necessary to first learn from the citizens who comprise the State what their needs and views are (*Ibid)*, ensuring that all groups, especially the marginalized, are heard (Niebuhr, 1932: 113-141). Otherwise, the norm diffusion process will be uninformed and ill equipped to engage the targeted society. This is the fundamental key to avoiding the domestic obstacles to international norm diffusion in post-conflict nations.

As mentioned in the previous chapter, a key finding of this study is the connection between reaching "deeper" reconciliation on an individual level (Clark, 2012) and resolving a national identity crisis caused by diverging views between groups (Ramet, 2007). Niebuhr's treatment of "inherited privilege" (1932: pp 128) illuminates this connection between a national identity crisis and a lack of lasting reconciliation, or persistent resentment, between groups. Niebuhr explains how due to their already advantaged position, the perpetrators of fundamental oppression or conflict, referred to as the privileged class, develop and perpetuate a historical narrative and national identity that favors their group (1932: pp. 113- 141). When this occurs, the truth of the nation's identity is not told because it excludes certain citizens who also compose the nation and call it their home. Basically, one group speaking for the nation not only excludes other groups; it fosters the negative feelings in the individuals who comprise those excluded groups, thereby preventing the chance for regenerative reconciliation to develop (Clark, 2012; Niebuhr, 1932; Paffenholz, 2015a). The exclusion concerning national identity and the "privileged" group's negative reactions to political or administrative attempts to include marginalized groups (e.g. the Vukovar situation), illustrate Croatia's domestic obstacles to international norm diffusion, which are common in post-conflict societies. Therefore, despite naming minority groups and promising equal rights in print, and even allowing minority groups to establish their own separate political parties, a national identity crisis bolstered by limited, vulnerable trust will likely persist in Croatia without addressing these issues.

Now that the misstep that invited domestic obstacles in Croatia has been explained in detail, the remainder of this chapter will discuss what is necessary to avoid these mistakes. This is a case that demonstrates the importance of having the right strategy before executing a mission. The origin of the domestic obstacles in Croatia was that ineffectual reconciliation measure(s) allowed exclusion within a divided nation to persist. So, the ideal place to begin fixing this mistake and to avoid it for future potential Member States is to bridge divides and bring groups together.

Enacting Proper Conciliatory Measures to Determine Particular Norm Frames

Engaging a national dialogue that is properly mediated and monitored is a substantial undertaking, yet necessary to achieve mass inclusion and avoid the obstacles discussed above. This type of endeavor involves multiple, dedicated actors with the common goal of balanced and equal representation and participation for all citizens. Thankfully, citizen inclusion and participation "is not limited to the negotiation table" (Paffenholz, 2015a: pp. 1) since not every citizen can participate that way. Additionally, citizens do not necessarily have to rely on NGOs and other civil society groups to speak for them. Such groups can present challenges to reconciliation as they may lack the organizational strength to be effective, could be influenced by national political parties, or may approach reconciliation and reconstruction with self-serving agendas (Dragovic-Soso, 2016: pp. 305-308), while others may be strategically excluded (Paffenholz, 2015a: pp. 2). However, as is the case with all regional and national institutions, the membership norm diffusion process is an opportunity to strengthen and develop civil society groups.

Therefore, it is imperative that intergovernmental organizations interact with the NGOs and civil society groups invested in the nation and its reconciliation. The Croatia case study shows how government officials can be influenced by personal views, which can hinder reconciliation and norm diffusion. Still, rebuilding a nation without involving such individuals is not possible. Clearly, a balance of participants and decision-making is compulsory yet challenging to achieve. Appropriate intermediary interventions are a key contributor to effective reconciliation initiatives that was missing from past reconstruction intervention in Yugoslav successor States and from the many failed attempts to conduct a TRC in the region. Now, after learning from Croatia, organizations like the EU can reevaluate and restructure their approach to successfully incorporate national dialogue as a first step to mobilizing membership norms. While it is ideal to achieve this at the outset, evidence demonstrates this has not happened in Croatia or other former Yugoslav successor States.

The obvious benefit of longitudinal research, such as the Paffenholz, *et al* study that provides guidance and recommendations supported by real international experiences, is that what is learned after the fact can be applied moving forward. It has been made clear here that both international and regional actors' past attempts to produce sufficient reconciliation in the Western Balkans fell short of expectations due to the lack of a properly executed national dialogue from the outset. Intergovernmental organizations must utilize new research like the Paffenholz, *et al* study in future relationships with potential Member States in transition if they are to meet expectations on norm diffusion.

Still, there are action steps that can be utilized now in nations already experiencing simultaneous membership norm diffusion and domestic reconciliation. The following recommended solutions provide potential action steps to establish broad, effective national dialogue that will expectantly reveal the unique particular norm frames necessary to avoid common obstacles to norm diffusion in post-conflict or transitioning societies.

Recommended Solutions

The most applicable lesson from the Paffenholz, *et al* research (2014; 2015a; 2015b) is that the intermediary role of intergovernmental organizations during peace- and state-building missions does not need to be abandoned once basic peacebuilding terms are met. This exemplifies the essential problem of assuming lasting reconciliation has been accomplished after initially experiencing an end to grave violence or functional reconciliation (Clark, 2012). While the UN is typically the more hands-on organization in the earliest post-conflict phases, the international position and intergovernmental structure of the EU enables it to participate in this capacity once accession negotiations have commenced. The evidence presented here demonstrates that even marginal reconciliation and reconstruction may not be met at the time of membership application or of presenting an SAA. Additionally, the Paffenholz, *et al* findings confirm that marginalized groups need support and encouragement when they participate to ensure their voice is not neglected or silenced (Paffenholz, 2014: pp. 15; Paffenholz, 2015a: pp. 2-3), which further demonstrates the critical need to monitor government involvement

and behavior. Recalling Niebuhr (1932), the ruling group is often the past oppressors who are prone to use their advantaged position to write their own version of history, national identity, and terms of conflict recovery. Clearly, support for regenerative reconciliation should frame the membership norm diffusion process throughout accession negotiations, and beyond. This particular norm frame is compulsory to avoid the obstacles invited by relying heavily on a potentially tainted domestic government, and it fosters the inclusion of marginalized voices to ensure equal rights moving forward.

To support the national dialogue and ensure mass capture, intergovernmental organizations should suggest, if not require, surveys and focus groups to gather data on views on national identity to better inform group conflict. This will inform intergovernmental organizations as well as the State on how to approach reconstructing its policies, especially regarding how to introduce and enforce these policies in a post-conflict society. A caveat from earlier examples of what failed in the Croatia case is the dangers of weak, unoriginal surveys, and how relying on or involving regional actors and domestic governance can spur resentment and distrust rather than reconciliation. A viable solution to achieve this action step is to remain open to partnerships with universities, university students, or vetted civil society groups, NGOs, and think-tanks that are prepared to conduct objective, in-depth research that would include these measurements. This not only addresses the national identity issue, but may also assist in developing social institutions, particularly in education as was highlighted in the Clark (2012) study. Of course potential researchers would have to apply for the privilege of conducting these in-depth, sensitive surveys and focus groups. This is essential to the vetting process. Ill

equipped or negatively influenced researchers are just as dangerous as self-serving NGOs and nationalistic governance. Supplementary funds may be necessary to offer additional support to the funding universities, students, think-tanks, and other organizations would have acquired on their own. Thankfully, the EU offers funding for peacebuilding initiatives (European Union, European Commission – External Relations, 2009). By reevaluating and restructuring their engagement with post-conflict potential Member States, this type of endeavor is sure to fit the requirements of such funding.

The next recommended solution involves how to reach mass citizen participation and inclusion for decision-making (Paffenholz, 2014; Paffenholz, 2015a; Paffenholz, 2015b). Documenting the confessions and trials of guilty parties, and ensuring that they are not publically represented as war heroes, is a valuable first step (Brahm, 2007: pp. 27). However, in addition to capturing the varied voices of the masses, ensuring that these voices are included in policy development and enforcement is also critical to reaching reconciliation beyond "minimal trust" (Clark, 2012: pp. 240; Paffenholz, 2014). While it may be impossible to hear from the many thousands of victims, holding elections to nominate spokespeople to participate in all levels of reconciliation measures and policy development is necessary. As mentioned, obtaining and including the voice of the oppressed, not merely naming them in a Constitution, is critical for reconciliation. Brahm (2007) explains, "Individual reaction to the experience of appearing before a truth commission is, in fact, highly variable…. Similarly, perpetrators seem to have divergent feelings about coming forward to commissions. What is more, it is not clear whether those not directly affected by the violence are influenced in the same way to say nothing

of the passive beneficiaries of the violence" (Brahm, 2007: pp. 20). Therefore, capturing individualized perspectives is a significant problem for fact-finding and truth-telling reconciliation measures like TRCs. A fundamental EU membership norm is an established democracy (Thomas, 2015), which entails the presence of a democratic electoral system and equal voting rights, as is the internationally endorsed standard to allow individuals to have a voice in national issues. Thus, it is sensible for the EU to encourage democratic elections in the early phases of intervention when the EU is involved in the reconstruction of a transitioning potential Member State. The solution of monitoring elections for the aforementioned spokespeople is within the purview of intergovernmental organizations, which have been involved in Truth Commissions,[23] are responsible for trying alleged war criminals, and are involved in the domestic policy and institutional development of post-conflict or transitioning States. Embracing this solution as a standard inclusion to the overall post-conflict response is an appropriate way to include the varied public views into the public record and public policy. Nevertheless, it may be said that the EU does not participate, but merely offers a list of mandates that must be met via its diffusion mechanism, the SAA. Still, this study has demonstrated that improving the diffusion process to include the realities of the domestic climate for each individual potential Member State is the necessary and missing component. This means the EU should consider including such elections in their negotiations, unless other significant evidence of direct citizen participation and inclusion in decision-making and policy development can be produced.

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[23] For other nations – not necessarily the former Yugoslavia. See the website offered in footnote #3, pp. 14 for examples.

The combination of these efforts responds to the paired problem of a national identity crisis and lingering group resentment caused by a "thin" approach to reconciliation (Clark, 2012: pp. 248-250). As Clark mentions (2012, pp. 250), "There is no one-size-fits-all approach." So, these recommended solutions offer a way to fill an existing gap where the expectation of the norm diffusion process in nations like Croatia does not match the reality. Furthermore, these recommendations emphasize the need to fit the standard diffusion process to the potential Member State by allowing the State and its citizens to speak for themselves through inclusive reconciliation measures before trusting that the appropriate particular norm frame has been identified. As was made clear in the case of Croatia, a lack of reconciliation can feed a national identity crisis, and vice versa. Also presented was evidence of what can occur when an ineffective norm frame is utilized. The unoriginal attempts by domestic and international governance to survey the Croatian people did not uncover this, as a move towards deeper reconciliation was not necessarily the purpose of those actions. As a result, an ineffectual particular norm frame was employed and group clash recurred. Again, this is a classic case of not having the right strategy before executing a mission. The domestic obstacles to membership norm diffusion could have been avoided, or at least better addressed, had the EU first carried out steps to engage an effective national dialogue, such as those described in this section. Nevertheless, it may not be too late to apply a more appropriate norm frame.

Additionally, in order to experience more successful outcomes in the future, the EU can develop its standard membership norm diffusion process as it continues to negotiate with other Yugoslav successor States. A valuable next step for the research

presented in this study would be to apply the above recommendations in an as yet unexamined location in a Yugoslav successor State, with the expectation of doing so with the support and participation of domestic governance, local NGOs, and possibly the EU as well. After identifying a fitting location, the starting action would be to conduct ethnographic research similar to the Clark (2012) study with two different overarching groups – socially marginalized citizens and the people or institutions that enacted past peacebuilding or reconciliation measures. As learned from Croatia and its needs, engaging with both groups will reveal the lessons learned from past mistakes, the particular group resentment specific to the nation that engendered grave conflict, and whether a national identity crisis exists and the supporting details.

A final recommendation is that the EU can be more outspoken and staunch regarding their stance. Intergovernmental organizations may have expressed disapproval in response to negative or unfavorable government behavior, and the accession process is arguably not quick. Still, as the reports mentioned above have revealed, some unfavorable government behavior was blatantly overlooked rather than critically addressed. Moreover, the examples offered above regarding Croatia's issues, and those discussed in the Clark (2012) study, demonstrate how the majority or governing group, also the previous oppressors, created the obstacles to norm diffusion. This important recommendation to vehemently urge domestic governance to prohibit the behavior that further oppresses marginalized groups could potentially be the most expedient way to approach domestic obstacles to norm diffusion since, as mentioned, potential Member States perceive an overriding benefit to EU membership. Unfortunately, as described by

Thomas (2015) in the extensive, longitudinal overview of EU membership norm development, the EU stance on membership is susceptible to change based on its enlargement goals and membership applications. Evidence suggests that, as was discussed earlier regarding Croatia's connection to Western Europe, a newly forming membership norm veers away from democratic peace norms, i.e. human rights and equality, and towards an idea of shared heritage and culture (Thomas, 2015: pp. 27-36), or "European-ness". This means a shared view of "European-ness" amongst Member States is becoming more overt to the point of forming a normative quality of membership with the aim to exclude certain membership applicants that otherwise would be qualified due to their location, economic well-being, and a democratic society (Thomas, 2015: pp. 25, 27, 33-36). Recalling Ramet (2007), the EU is signaling that it is beginning to favor community-based features that can negatively interact with the realities of diversity. If the EU is to understand and appropriately navigate the national identity and reconciliation issues of diverse regions like the Western Balkans while negotiating accession, perhaps the organization needs to first consider and address its own identity crisis. More research on this issue is needed in order to offer more in-depth and conclusive insight. Still, the recommendation to be more responsive to negative government behavior that goes against the confirmed membership norms is valid in the context of this study.

CHAPTER FIVE: CONCLUSIONS

Conclusion

Although the original and earlier accepted members of the EU may view Croatia as a 'true' European nation, the previously discussed effects of both the post-imperial and post-communist transitions Croatia experienced must be considered. An additional explanation regarding the Historical Foundations Article is that Croatia is trying to communicate just that in its constitution – it may share some history with Western European nations, but it became separated and had to find its way back to a national identity. Although a nation like Croatia may draft policy that clearly demonstrates the diffusion of international norms, the widespread national attitude can take time to conform. Shifting citizen behavior is more nuanced than controlling State behavior. While the EU may be able to execute international norm diffusion into national policy through documents like the SAA, the effect of adopting improved policies on citizens may not be as immediate or direct. It may take time and support to shift social views, which of course should have been better addressed before Croatia's accession. Still, the continued cooperation of the Croatian government with intergovernmental institutions is vitally necessary to sustain this transition. The Croatian government will have to demonstrate an unequivocal adherence to rule of law if it is to foster social change. By lagging or wavering in its response to difficult normative change, the Croatian government signals that it may still operate under the desire to support the Croat majority, despite its documented equality and human rights policies. Still, for the EU, the key element to enabling the necessary social shift rests with the effective implementation

of the appropriate particular norm frame of promoting and strengthening regenerative reconciliation in order to mobilize the complete transfer of EU membership norms into Croatian society.

Croatia's successes and challenges can serve as an example of democratic transition supported by norm diffusion mechanisms for other States in the Western Balkans region. These other States will have their own specific issues, challenges, and views regarding nationalism and reconciliation. Nevertheless, the lessons described and the recommendations offered in this study regarding how to examine a State's prominent views on nationalism and reconciliation to determine successful particular norm frames will help sustain international norm diffusion in other Western Balkans States.

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APPENDIX ONE: PAFFENHOLZ – CATEGORIES OF CITIZEN INCLUSION

AND PARTICIPATION

In her study on "Broadening Participation in Peace Processes" (Paffenholz, 2014; Paffenholz, 2015a, Paffenholz, 2015b), Thania Paffenholz categorizes negotiation models used in present or post-conflict peace talks based on the level of participation of citizens. These levels of citizen participation, as provided by Paffenholz and paraphrased when applicable, are listed below in order of decreasing level of citizen inclusion.

1. Direct Representation: [Citizens officially included] as additional delegates or as part of official delegation;

2. Observer Status: Direct presence [of citizens] during the negotiations;

3. Official consultative Forums: Parallel to official negotiations and endorsed by the mediators and negotiators;

4. Consultations: Less formal consultations without official [stakeholder endorsements];

5. Post-agreement mechanisms: ...participation of civil society in implementation mechanisms

6. High-level civil society initiatives: Non-official facilitation initiatives like conflict resolution workshops…;

7. Public participation: Involving the broader population via… public hearings [or] opinion polls…;

8. Public decision-making: [Binding votes on major political decisions];

9. Mass action: [Demonstrations, street action, protests, petitions].