Lessons from Arizona Market: How Adherence to Neoliberalism and the Free Market Mindset Harms Women in the Post Conflict Reconstruction Process

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In Bosnia and Herzegovina (BiH), there is a vast and sprawling marketplace that sprang up just as the peace accords were going into effect, bringing to some conclusion three and a half years of bloody ethnic fighting. The place is called Arizona Market and it was supposed to be a shining example capitalism, evidence of the positive impact of the particular type of political and economic engineering that takes place in the reconstruction after a war. But the narratives about what Arizona Market truly represents abound, to a degree which belies the facts that the market is a mere thirty-five acres in size, a mere thirteen years old and host to thousands of flea market stalls. There are narratives which call Arizona Market a success and others which reveal the market as a clear example of cocksure neo-liberal wrongheadedness. There are myths about the ability of a market to bring about peaceful relations between warring ethnicities through the neutrality of commerce, even where peace was hard to come by in the rest of Bosnia. The narratives surrounding Arizona Market are conflicting, and they all hold some truth. It was a place to buy bread when there was no bread to be found, but it was also a place to buy human beings to satisfy sexual appetites. It remains a dark place, laden with black market activity and organized crime even while its taxation has funded the shining democratic success story of the town of Brcko, in whose shadow Arizona Market sits.

This article will employ the example of Arizona Market to illustrate what is wrong with the type of politico-economic engineering that takes place in early phases of post conflict reconstruction. In particular, it will, in Part I, examine the creation of Arizona Market, exploring the intents of the various actors (or non-actors) involved. Part II will look at what went on in Arizona Market and how its evolution was affected by local, regional, national and international politics. Part III will examine the negative impacts of those activities on women in particular, and use Arizona Market to illustrate the disregard for gender and women in the peacemaking, peacebuilding and reconstruction processes in Bosnia and Herzegovina. It will also look more deeply at the effects of neoliberal policies and projects, of which Arizona Market was one, albeit an informal one, on women. Part IV will conclude with some observations, including the problems inherent in having the wrong people making economic and legal decisions simply because they are in place during the peacebuilding process. It will also question the soundness of post conflict reconstruction practices which assume that capitalism and free market ideology are necessary and inherent components of democratization, human

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rights and the re-establishment of the rule of law, and will reveal some of the negative gender effects inherent in those policies.

I. Arizona Market in Context

As the war ended and the international community descended upon Bosnia and Herzegovina, the country was not only transitioning from war to peace. It was also transitioning from communism to democracy, and from a socialist to a capitalist (some would say neoliberalized) and privatized economy.  

A. Post War Bosnia and Herzegovina

In December of 1995, the war in Bosnia formally concluded when talks in Dayton, Ohio resulted in the signing of the General Framework Agreement for Peace [Framework for Peace], a document reflecting the modern interventionist prescription for peacemaking and post-conflict reconstruction. The Framework for Peace set forth not just the conditions for securing peace, but also specified the programs deemed essential to sustaining it, creating roles for both the short and long-term involvement of the international community (IC) in the political, legal, and economic institution-building after a conflict; or at least after a conflict in a country in which the IC has or hopes to have a stake.

The four year war in Bosnia decimated its fledgling economy, which had already begun making the economic transition from socialism to capitalism before the war began. Whereas in 1990, two years before the siege of Sarajevo, Bosnia had a GDP of $11 billion and a per capita income of $2,400, by 1995, at the time of the cease fire, the GDP had fallen to $2 billion and the per capita income was estimated at $500. By the end of the war, fully eighty percent of the population was unemployed. The twenty percent who were employed tended to work for entity governmental structures (police, schools, municipality administrations) – jobs given according to political party affiliation and ethnicity. Among those eighty percent who were unemployed at the conclusion of the war, but fortunate enough to find employment over the following years, were those who found work within international organizations. This created an extremely polarized economy and labor market in which most people either worked for the local government

1 Pre-war Bosnia had a socialist economy whereby most firms were owned and controlled by the workers and not the state. But the international community, via the World Bank and the IMF, had already begun placing economic liberalization requirements on the Federal Republic of Yugoslavia after the death of Tito, but before the start of the war. Similarly, Bosnia had already begun taking steps towards holding free and democratic elections before the start of the war. See generally, D. Haynes The Deus ex Machina Descends and Stef Jansen in Haynes, D. ed. Deconstructing the Reconstruction: Human Rights and the Rule of Law in Postwar Bosnia and Herzegovina (Ashgate 2008), and Christine Bell, Peace Agreements and Human Rights (Oxford University Press 2000).
3 See generally, Haynes, D. and Bell, C., supra note 1.
5 Id.
or the international administrative government, not to mention creating an economy falsely supported by the international presence.

The black market which had thrived during the war, with black marketers selling illegal arms, cigarettes, food staples, identity documents and engaging in all types of smuggling during the war was not quickly dismantled after the cease fire, nor was their expertise forgotten along with the cease fire. Rather, the black marketers and smugglers used the same skills and smuggling routes they had devised during the war, and simply shifted to different goods -- from flour, track suits and cigarettes to drugs, weapons and human beings.

**B. The First Myth of the Free Market: Achieving Ethnic Harmony through Market Forces**

In this atmosphere, with black market skills rampant, Arizona Market sprang to life, generated by the need for goods and by the economic (and political) vacuum that existed in the days and months after the cease fire. At first, the Market consisted of a handful of ramshackle stalls situated along a road known by the international military as Arizona Route, named by the international Stabilization Forces (SFOR) who primarily used it. Arizona Route linked the towns of Doboj in the Serb entity (the Republika Srpska) and Tuzla, in the Bosnian-Croat entity (the Federation). While the international community may or may not have literally created Arizona Market, it certainly emboldened the marketers who were setting up shop there, first by ignoring their presence, and later by encouraging it and then recasting the black market activity with a golden, free market hue that it simply did not have.

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6 In an odd gender twist, many have noted that the majority of locals hired by international organizations (IO’s) tended to be women. This was because women tended to have more administrative or “secretarial” skills, but also because more had tended to study the social sciences, which were particularly sought after by IO’s, the UN and the military. This gender disparity in the types of jobs held by men (the majority of whom are men among high level positions within IO’s) and women (the majority of whom are administrative staff) creates the inflated potential for sexual harassment and extreme power disparity. For more on the gender disparity in hiring among IO’s. See, Haynes, D., *Ethics of International Civil Service: a Reflection on How the Care of UN Staff Impacts The Ability to Fulfill Their Role in “Harmonizing” the World*, ___ Hamline J. Int’l L (forthcoming). See also, Rees, supra note ______ at 57 stating that the international institutions in BiH were mainly staffed in their senior positions by men. In fact, this author recalls more than one meeting at which Rees and I were the only international women in senior positions at a table full of men, with local Bosnian women sitting in chairs around the edges of the walls, serving as administrative assistants.


8 For the first two to three years after the war, roads that crossed former frontlines or divided the entities were not frequented by civilians who feared attack and reprisal when their license plates identified them as being from particular parts of the country, and therefore potentially linked to particular ethnic groups. Some roads were used primarily or only by internationals.

9 The “republika srpska” was actually ‘created’ in early 1992, by indicted war criminal Radovan Karadíc’s party, the SDS, which also then proclaimed it to be part of Yugoslavia (Serbia) rather than Bosnia. Silber, L. and Little, A. *The Death of Yugoslavia* (London: Penguin Books 1996).

10 The competing narratives in this regard will be discussed further, below.
The international refrain, from the beginning, was that while the rest of Bosnia was a mess, mired in ethnic hatred and impasse, in Arizona Market men (not women) of different ethnic groups happily interacted, with business as their neutral common ground.11

In fact, men of different ethnic groups did do business there, but often as not they were Serbs from Serbia, Croats from Croatia, Romanians, Bulgarians or even Turks engaging in mutually beneficial organized crime or smuggling. The myth that Bosnian Serbs, Bosnian Croats and Bosniaks12 were finally interacting peaceably after years of warring with one another within the business arena of Arizona Market was at best an extreme exaggeration. And this was not the only myth surrounding Arizona Market.

In Bosnia, there are conflicting narratives about everything – who started the war, when, where, how and why – and the story of how Arizona Market was created is no exception. One narrative says that the market first sprang up spontaneously in the months after Dayton as a motley collection of vendors.13 NATO patrolled the area and established checkpoints, given the geographic location at a triangle of Bosnian, Bosnian Croat and Bosnian Serb interests. Because the area was “safe,” patrolled by the American arm of NATO forces, people began coming to “exchange cows and other goods.”14 Another version of the narrative says that the American unit of IFOR (International Forces) actually affirmatively established the market as a secure trading area during the conflict.15

Regardless of how it actually started, because of its proximity to Brcko, and because of America’s investment in the successful outcome of first the Dayton Accords and later of Brcko itself, the market was immediately hailed as a sign of multi-ethnic cooperation. Then the hyperbole was carried further by the international men then on the ground (who primarily were experts in military operations and political science, not economics); a link was made between commerce and multi-ethnic interaction.16 Surely


12 This is the term used after the war for Bosnians who may or may not be Muslim, but are of neither Serb nor Croat ethnicity.

13 Andreas, quoting a spokesperson for the Brcko District Supervisor’s office.

14 A. Jeffrey Building State Capacity in post conflict Bosnia and Herzegovina: The case of Brcko District, Political Geography 25 (2006) p. 216, citing Andreas P. The Clandestine political economy of war and peace in Bosnia, 48 Int’l Studies Q. 1, pp. 29-51. (2004) and Andreas at 134, citing “Showdown at Arizona,” in which an international member of the Brcko Supervisor’s office states, “The market was encouraged. . . . One way to move forward in the post war years was to use business as a foundation. To use an American phrase, the market was in ‘everyone’s interest’.” At 134.

16 “At the Arizona Market, stall owners and patrons come from all of Bosnia’s ethnic groups, and even cross borders from neighboring Croatia and Serbia to sell goods and find deals. On a daily basis Bosniaks,
ethnicities would set aside old animosities in favor of making money – it was the neoliberal free market concept embodied in the perfect microcosmic of Arizona Market.17

In the midst of BiH’s bleak postwar economic landscape, the international community, led by western capitalist countries responsible for the territories near Brcko, determined that they would sponsor and support the Market with the goal of creating an economic free space in which recently warring Bosnian Serbs, Croats and Bosniaks would mingle freely, buying their sugar and flour. The existence of a sanctioned market might even diffuse the black market activities, they believed, but even if it did not, the market would bring people together in the “neutral” activity of marketing, and would therefore be worth supporting.18

The Americans put their support behind the market, and the US Army in particular put in $40,000. In exchange, it received a thank you sign acknowledging the contribution, which remained posted publicly at Arizona Market until such an acknowledgment later became an embarrassment and it was removed.19 By the year 1998, three years after the conclusion of the war, a person could buy DVDs pirated in China, goods looted from the ransacked homes of ethnically displaced persons, building materials (to rebuild destroyed homes, many of the materials being resold after being donated by intergovernmental organizations [IGO’s] for reconstructing homes), fake Nike running shoes, heroin or a human slave for sex and other household duties.20

Eventually, when the nefarious market became so well known in the region for being relatively unregulated and therefore the perfect place to conduct black market activity, Albanians and Moldovans and Romanians and others also came to conduct their

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17 This is, as David B. Kanin puts it, due to “the mythology of the benign, universal applicability of democracy and free markets,” although he goes on to argue that through endorsing this mythology, the IC fails to seriously confront corruption and economic criminal activity. He characterizes this mythology as created by western imperialism, because “Europeans (and Americans) believe themselves to be ‘ahead’ of the rest of the world and authorized to judge how far behind others happen to be. See Kanin, David B. Big Men, Corruption and Crime, 40 Int’l Politics 4 (Palgrave Macmillan 2003) at pp. 491-493.

18 It may be important to note that because elections took place in Bosnia early, too early by most accounts, politics became deeply entrenched along ethnic lines. Only now those ethnic lines were institutionalized by the democratic process, because they had been freely and fairly elected. With politics and politicians so deeply divided along ethnic lines, many turned their hopes towards business and the economy as an inter-ethnic alternative. Nevertheless, with enterprise and newly privatizing industry, most ethnic minorities experienced discrimination in hiring.

19 In explaining why the Pentagon had paid some of the start up costs of Arizona Market, Major General William Nash explained, “. . . the area was secure, so Serbs, Croats and Bosniacs could all come and do business without fear of ethnic violence. . . . Over the years the Arizona Market has had an up and down existence with some issues of black marketing, trafficking in literally sex, drugs and rock and roll.” Army Times, “The Lessons Learned in Bosnia and How they Apply to Iraq”

20 Philip Shervell, “Guns, Girls, Drugs, Fake Track Suits: It’s All Here in the Wildest Market in the World, .. . the Arizona Market, a Booming Balkan Hub for Business, Smuggling and Crime Where the Serbs, Croats and Muslims have Put Aside their Old Enmities to Trade,” The Sunday Telegraph, 10 November 2000. See also, Martina Vandenberg, Human Rights Watch and Dina Francesca Haynes, “Used, Abused, Arrested and Deported,”
Arizona Market had gone international as “a cross-communal trading place in no-man’s land where ethnic belonging and citizenship mattered little and everything was for sale.” It was clearly not the thriving, happy, inter-ethnic free space likely to lead the rest of Bosnia back into ethnic harmony through the sheer momentum of free market forces that the international community built it up to be.

Even if the international community did not literally create the market, they funded it and imbued it with this powerful myth – that the market was a microcosm of how all of Bosnia could be; the free market correcting for everything, even ethnic hatred of the sort that leads to violent war. The people present on the ground, particularly members of the military who were presumably not also trained and skilled economists, held to the belief that: “In the microcosm [that] the Arizona Market represents may lie a clue to building a functioning multiethnic society in Bosnia. At least for now, people feel secure only when around their own kind. But as economic opportunity invites interaction, these same people will gradually become confident that they can live again in a mixed society.”

The problems with this view of the Market were multiple. In addition to being economically flawed, it ignored the fact that many of the activities in which these people were engaged were illegal and extraordinarily abusive. Even the relatively victimless black market activities were illegal, because they were not taxed in a country which sorely needed the tax base. Nevertheless, the market and its criminal activity was tolerated for years, in service to the greater myth of ability of the free market to correct the ethnic divisiveness which had so recently led populations to be exterminated. And it was tolerated by precisely the people whose job it was to guide Bosnia towards a fair, structured and rehabilitated rule of law system – the international community.

The example of Arizona Market continued to be trotted out to bolster support from the IC for the continued funding of the return and reintegration of displaced persons, and to stave off the growing arguments that perhaps Bosnia would be better off as an ethnically divided country after all. Arizona Market was also pointed to as

22 Ret. General Charles Boyd, *77 Foreign Affairs* 1 at 52 (Jan/Feb 1998), describing the market in the late 90’s as a “thriving free market enterprise” even while acknowledging that one could buy “prostitutes” and weapons there. Ret. General Charles Boyd, *77 Foreign Affairs* 1 at 52 (Jan/Feb 1998). See also, ___________“The ethnic hatred all share is put aside in the interests of need and economic gain, both powerful counteractive agents when it comes to prejudice.” ___________

24 As will be discussed below, infra at ___________.
26 Although some argued that Arizona Market was an example of why the IC should discontinue pushing for return of the ethnically displaced. While hatreds were too fresh for return, Arizona Market showed how
evidence to prove the effectiveness of the free market as a tool for curing all social evil. Eventually, this belief that market forces will prevail, even to correct for years of ethnic hatred, led the international community to turn a blind eye to the much more gruesome activity taken place within the market. Human beings, largely women and children, were being sold; not merely having their services as prostitutes sold, but their whole person literally sold as slaves. Human beings were treated as mere commodities like any other in Arizona Market.  

While human rights and the rule of law were discussed and planned in other parts of Bosnia, they were blatantly violated in Arizona Market with the acquiescence of the IC, still insisting that the Market represented free market forces at their highest expression – fostering inter-ethnic harmony. Eventually it was recognized, if not formally acknowledged by the IC at large, that some of the violators, those who purchased and even those who sold other human beings in Arizona Market, were themselves members of the international community. The presence of the IC in BiH, their endorsement of the Market and their activities within the Market had contributed significantly to the black market dealings and rise of human trafficking within the region.

The international community had many goals in reconstructing Bosnia and Herzegovina. The stated goals were securing peace, building a democracy, re-establishing the rule of law, fostering return of persons displaced by the ethnically-motivated hatred and violence, demilitarizing the region, and building human rights institutions. There were also, however, unstated objectives. One of them was creating a safe place for international business to set up shop. “Certainty, based on the rule of law, is a prerequisite for investment” was the refrain -- the “certainty” being more important than the actual rights and protections through which certainty is ultimately fostered.

The economic and political transitions of Bosnia were contemporaneous with and intimately tangled up with the peacebuilding and reconstruction efforts, the latter of which were led by military men and policy makers, who thought that they could create a space in which free market principles would play out as capitalist democracies believe they will – with the market correcting itself regardless of external forces and influences. In fact, the entire affair was highly masculinized, one side-effect of the fact that the people on the ground immediately after a cease-fire are predominantly military and predominantly men.

market forces and market needs would slowly allow people to set aside hostility in favor or making money. See, e.g. . Ret. General Charles Boyd, 77 Foreign Affairs 1at 53 (Jan/Feb 1998). But see Kanin, supra note 32, who argues that Arizona Market is “the prototype of both the problem [of corruption and illegal criminal economic activity] and its solution,” but also argues that “rule of law,” as he sees it at least, “more likely would emerge from spontaneous, informal economic activity than from externally imposed administration.” at p. 23

28 Discussed infra ___________.
29 See, e.g. Rees, supra note ____ at 56, arguing that both the domestic and international military presence, as well as the economic situation, evidenced by the rapid increase in organized crime, was highly masculinized
C. Politico-Socio-Economic Engineering: The Story of Brcko and its relationship to Arizona Market

The story of Arizona Market cannot be told without an understanding as well of the story of the town of Brcko. The Dayton Peace Accords brought to the table (indicted war criminal) Slobodon Milosevic from Serbia, Franjo Tudjman (who would have been indicted had he lived) from Croatia, and Alija Itzebegovic from Bosnia (often criticized, but never indicted) to negotiate cessation of hostilities.\(^{31}\) The final sticking point at Dayton, threatening to undo all of the preceding negotiations, was what should be done with the town of Brcko.

Strategically located along both the Zagreb/Belgrade highway and the Sava River, at the very northern tip of Bosnia, the town of Brcko joins Bosnia to the rest of the Former Yugoslavia and to Europe. It is an extremely important geographic location from any economic standpoint, but was extremely important to the Bosnian Serbs. Despite being a majority Bosniak (and Muslim) town before the war, Brcko was the geographic link connecting the eastern and western parts of the Republika Srpska. Without control over Brcko, the Serb republic would be divided in two parts which, as any military strategist knows, is undesirable.\(^{32}\)

In order to gain control over this territory, the Bosnian Serbs, led by “Arkan,”\(^{33}\) decimated the town during the war. Bosniaks and Croats were forcibly expelled by Bosnian Serbs, and many were tortured, raped and killed.\(^{34}\) There were said to be twenty

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\(^{31}\) There were, of course, no women at the table in Dayton, which has been described as a failure “to re-imagine gender relations and to provide a contemporary model of citizenship and democracy for women.” Cynthia Cockburn, *Bosnia: The Postwar Moment: Lessons from Bosnia and Herzegovina* Women and Environments Int’l Magazine, No. 58/59 (Spring 2003), pp. 6-8, quoting Madeline Rees, former head of the Office of the UN High Commissioner for Human Rights in Bosnia. See also, M. Rees, *International Intervention in Bosnia and Herzegovina: the Cost of Ignoring Gender*, in Cockburn, C. and Zarkov, D. *The PostWar Moment* (Lawrence & Wishart 2002), citing Kvinna till Kvinna, at 55, as identifying only one woman among the signatories (of NATO countries) and a few women among the international delegates. This gender disparity was lost on the negotiators and parties, but not on women NGO’s who sent a letter to Madeleine Albright on the day of the signing of the Accords, without receiving a response. Id. citing Kvinna. These themes will be further explored in Parts III and IV of this article.

\(^{32}\) According to US military on the ground in 1996, “The city was the center of gravity both in military and economic terms; it was the place at which success had to be obtained.” Colonel Greg Fontenot, U.S. Army (ret.), *The Urban Area During Stability Missions Case Study: Bosnia-Herzegovina*, Part I, Appendix F, from *Capital Preservation: Preparing for Urban Operations in the 21st Century*, at 201. It is unclear from the text whether the author had any economic expertise when assessing the strategic economic importance of Brcko.

\(^{33}\) Arkan, whose real name was Zeljko Raznatovic, was indicted for war crimes after the war but never tried because he was gunned down in the lobby of Belgrade’s Intercontinental hotel in January of 2000.

camps around the town of Brcko during the war where many of those forcibly expelled were then held captive by Bosnian Serbs.\(^{35}\)

As a consequence of these expulsions, the town split into three sub-municipalities after the war: Ravne-Brcko (which would initially physically host Arizona Market, and was the Croat section), Brcko Grad (housing the Serb population in the town center) and Brcko-Rahic (the Bosniak section). As Bosnian Serbs were displaced from Sarajevo and other parts of Bosnia and from Croatia\(^{36}\) during the war, they were provided with housing stock (both homes and socially owned apartments) that had belonged to the expelled or imprisoned Bosniaks and Croats. This sort of ethnic displacement was taking place all over Bosnia, Croatia, Serbia and even Kosovo, and affected all ethnic groups. As each ethnic minority group was forced out or fled, the newly arrived ethnic group would be given their ‘abandoned’ housing, creating new ethnic majorities.\(^{37}\) In Brcko, the wartime ethnic (arguably really nationalist, because Bosnian Croats, Bosnian Serbs and Bosniaks share a common ethnic Slavic origin) violence and displacement (and arguably genocide) created a strategic Serb majority.

At the very end of the Dayton peace negotiations, when all else had been agreed upon save Brcko, Milosevic told negotiator Richard Holbrooke that he would “walk the final mile for peace”\(^{38}\) by giving up on the stalemate, which in any case would have benefitted Bosnian Serbs, not Serbia, of which he was leader. Milosevic suggested submitting the issue of Brcko to arbitration.\(^{39}\) Holbrooke accepted this solution and an American was appointed to arbitrate the outcome of Brcko, along with entity representatives from BiH. Brcko was then filled with American troops and a US Department of State diplomat was appointed to “supervise” the town, arguably emulating the model of General McArthur’s reign in Japan after World War II.\(^{40}\) Eventually, in 1999, Brcko was made an autonomous district, and a full protectorate under the authority of an (American) international administrator, who appointed (contrary to the democratic principles which he purported to represent) all local authorities until 2004. Even the word for the new entity, distrik, was an American concept, while the rest of Bosnia was organized in opstinas.

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\(^{35}\) Peter Popham, “Winning the Peace in the Balkans: Risen from the Ashes of War,” The Independent (London) 18 November, 2005. One such camp, called luka (port) camp, was the most notorious and for their role in the war crimes and massacres at luka, Foran Jelisic and Ranko Cesis were indicted for crimes against humanity. A. Jeffrey Building State Capacity in post conflict Bosnia and Herzegovina: The case of Brcko District, Political Geography 25 (2006) p. 206.

\(^{36}\) Between 150,000 and 200,000 Krajina Serbs were expelled from Croatia during “Operation Storm” over a 36 hour period in August of 1995, when the Croatian army, trained by a US military firm in an arrangement approved by the US government, forcibly expelled ethnic Serbs, killing many. In Croatia, this was further complicated by then president Franjo Tudjman’s invitation to Bosnian Croats to move to Croatia and take up residence in homes and flats “abandoned” by Krajina Serbs. The displacement and housing issues of Bosnia cannot be considered without also looking at Croatia, Serbia and even Kosovo.


\(^{39}\) Id.

\(^{40}\)
The rehabilitation of the town was fully engineered by the international community in general, with a particularly heavy influence by the Americans. Despite that, or because of it, Brcko has been praised as a success story, even by such notoriously critical watchdogs as the International Crisis Group. Still, it is important to note, when understanding how economic and political engineering in Brcko helped create Arizona Market, that the terms of arbitration which created Brcko also yielded for it its own tax and customs structure, independent from Bosnia. This imbibed the town with instantly attractive neoliberal economic advantages and infinite economic possibilities over the rest of Bosnia. A considerable amount of the tax base for Brcko eventually came from Arizona Market, and still does.

Because the United States had such influence over the reconstruction, or arguably construction, of the Brcko District, it is not a stretch to see how the idea of something like Arizona Market, situated right outside of Brcko and ostensibly stimulating the multi-ethnicity for which the international community strived, and for which the United States negotiated at the Dayton Peace Accords, was a natural one.

If Brcko was an experiment in democratization, then Arizona Market was an experiment in capitalism. But while the early narrative on Brcko’s “governance by fiat” model was often harsh criticism for purporting to create a democracy, even while modeling autocracy, Arizona Market tended to be praised as a free-wheeling, free

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41 Mark Landler, “Success Story in Bosnia,” Int’l Herald Tribune 20 June, 2003, quoting Mark Wheeler of the ICG in Bosnia, “This was . . . the worst place you could imagine in Bosnia, but the international community equipped people with enough authority to get their jobs done.” See also Florian Bieber, Local Institutional Engineering: A Tale of Two Cities, Mostar and Brcko, Int’l Peacekeeping, 12 (3), Autumn 204, p. 421, stating “Brcko has been and probably will be a model for institutional design in other regions and at different levels of governance in Bosnia;” and International Crisis Group, Brcko: What Bosnia Could Be, Balkans Report, 10 Feb. 1998; and A. Jeffrey Building State Capacity in post conflict Bosnia and Herzegovina: The case of Brcko District, Political Geography 25 (2006) p. 204 “reflect[ing] . . . the ways through which international and local state organizations have worked together to create sustainable practices of multi-ethnic government in post-conflict Bosnia”.

42 European Stability Initiative, Post-Industrial Society and the Authorization Tmeptation: Governance and Democracy in Bosnia, (Berlin and Sarajevo 2004) p. 18. Brcko differed from the rest of Bosnia in many respects, but in this way it was similar. The rest of Bosnia was being “supervised” by the High Representative, who represented the member states which comprised the Peace Implementation Council, a group of interested states primarily affiliated with NATO. Unlike other peace operations, then, the UN played a lesser role and the primary role of reconstruction was given to the Office of the High Representative. In Brcko, the district too was being reconstructed not by the United Nations, but by the Supervisor, appointed through the Dayton initiated arbitration.

43 For example, in addition to the fact that Brcko’s Supervisors were American diplomats, the organization created to run Brcko’s institutions was the USAID funded “District Management Team,” which was assisted by US consulting firms. A. Jeffrey Building State Capacity in post conflict Bosnia and Herzegovina: The case of Brcko District, Political Geography 25 (2006) p. 216.

44 David Chandler
market harmonizing force. And the positive “free-market fosters ethnic harmony” narrative persisted, even once its seedy underbelly was exposed.

The democracy of Brcko is a strange sort of democracy, a sort of totalitarian democracy wherein the International Supervisor appointed all local officials and in which high school history books end at World War II because no one was prepared to take on the task of developing a narrative telling the tale of that more recent war which would be satisfactory to all three ethnicities. Similarly, the capitalism of Arizona Market is a strange sort of capitalism in which recently warring Serbs, Croats and Bosniaks joined together in nefarious business ventures, including the sale of human beings for profit.

D. Human Trafficking at Arizona Market

There are no nice human trafficking stories, but at Arizona Market, human trafficking was particularly grim and comes closest to matching the moniker “modern day slavery” which is now regularly bandied about. At Arizona Market, women, and often girls, were “paraded on stage with numbers around their necks and auctioned like cattle.”

The presence of 50,000 or more international men arriving in BiH, without their female partners, created a demand for women to be hired for sex. The black marketers who had already become skilled at operating across borders and within the private sphere, outside of the eyes of the law, quickly filled that demand with a supply of women and girls with few to no job prospects. The traffickers lured these with with few economic prospects out of their communities under false pretenses -- telling them they were being taken into Western Europe to work as hostesses, nannies and hotel staff. The supply of women was available in large part due to the collapsing socialist economies from which the women came, primarily Moldova, the Ukraine and Romania. According to UNDP, more than 10,000 women and girls (and possibly some men, the statistics are not clear) were trafficked through Arizona Market in the year 2000 alone.

45 Peter Andreas, “Blue Helmets and Black Markets: The Business of Survival in the Siege of Sarajevo,” (Cornell Press 2008), calling Arizona Market “the most impressive evidence” of “the ability to overcome ethnic divides” within a “clandestine economy.”

46 Political scientists have made interesting arguments about why the dark, inscrutable and private sphere nature of the market would suit the locals just fine, aside even from a desire to prevent their illegal black market and private sphere activity from coming to light. James C. Scott explains that developing an inscrutable infrastructure serves the governing elites against invasion by newcomers who do not understand how to get around, literally or figuratively, and thus fail both to see what is truly happen right under their noses, and to take control of and change it to suit their tastes. Scott, J. Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed, (Yale U. Press 1998) at 55-56.

47 Mark Landler, “Success Story in Bosnia,” Int’l Herald Tribune 20 June, 2003. “. . . we don’t know anything about war. Our history class ends with WWII.” Quoting a 17 year old Serb student and resident of Brcko.


49 See, e.g. Rees, supra note _____ and Haynes, Used, Abused, Arrested and Deported _______.

50 Id.

51 UNDP Report 2003, on file with author.
By 1999, it was well known that peacekeepers and other internationals were spending time in Arizona Market, buying women for sex. Nevertheless, when High Representative Wolfgang Petrisch tried to shut down Arizona Market, calling it a lawless wasteland, an American colonel argued to keep it open, pointing out, by way of comparison, that Times Square in New York City was far from perfect with its own host of pimps and prostitutes. Such statements suggest, although it is never quite openly articulated, that the “boys will be boys” mentality is understood to come with the territory of serving as military and international “emergency” response personnel in post conflict reconstruction work. The notion is that the work is very demanding, perhaps even life threatening, and that men far away from home and comfort must be allowed to have the comfort that comes of buying sex.

However, even once it became apparent the “prostitutes” were trafficked women and that the “brothels” were sex slave dens, no crack down was forthcoming. The myth of the free market insulated the market from being seen for what it was – a place in which the very worst kind of human behavior were perpetrated on other humans, with the complicity and involvement of the very internationals tasked with bringing about peace and security. The adamant belief that “[a]nything that normalizes is helpful, and trade is as normal as it gets” trumped even proof that it was criminal, abusive, coercive and exploitative activity that was taking place, not “normal” trade.

Many Bosnian gender scholars are aware of the gravity of the problem of human trafficking in BiH, and also locate it as a horrific derivative of development and neoliberalism. “There are many sovereign exceptions a variety of state agents can and do grant themselves/ourselves routinely, with horrible consequences for local development and for humanitarian/human outcomes. There are also brutal local transitions that defy any sense that the world is moving in generally democratic directions. It is important to . . . see and address more of the troubling biopolitics of our times.”

Human trafficking was a derivative of development, in that the market for trafficked women and girls was created with the arrival of a massive influx of lonely male military, peacekeepers, humanitarian officers and their supply teams. It is a derivative of neoliberalism because these very same military, and humanitarian officers trusted the market to create a place of social justice and correct

53. With the arrival of internationals creating the demand, brothels sprang up all over the region, not just in Arizona Market. Supplying this market were traffickers who brought girls, often around 14 years old, and typically, at first at least, from Moldova and Romania, were there were few job and educational prospects for women, the “communist experiment” having failed there, as well. It was estimated that 30% of the clients and 80% of the trafficker’s revenue came from the international community. Rees, supra note ______ at 63.

54. Scott and Murphy, Breko and the Arizona Market at 17.


for abuses within. The same forces which created the Market and allowed it to thrive were also users of its abusively obtained human “goods.”

In December 2001, Arizona market was privatized, falling in line with the rest of the Bosnian capitalist progress train. The winning bid was won by an Italian–Bosnian company called ItalProjekt. Despite the move to privatize, however, it was still a place rife with lawlessness, attracting bad actors and bad activities, which sometimes spilled over outside of the market. The organized crime bosses running the market were not happy with the purchase of Arizona Market, as they lost a substantial amount of money in the privatization process, evidenced by the increase in taxes paid to the municipality of Brkco-Ravne from 10,000 per month pre-privatization to 250,000 per month after. The stall owners were paying the same amount, but the money was no longer being directed first to the shadow bosses. Despite the reorganization and privatization, as of 2003, however, the Market was still referred to as “a sprawling, seedy collection of hawkers who have set up stalls on the edge of town.” By 2008, although now “commercialized” and privately operated, the market thrives and is still the go-to place for criminal activity, black marketeering and money laundering.

II. The Nature of International Administration and Post Conflict Reconstruction

Some of the blame for the creation of a place like Arizona Market has to be placed not on the particularly military men present at the cessation of hostilities, but on the post-conflict reconstruction process itself, which is still riddled with many problems

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57 Neoliberalism and some of its definitions, as well as some aspects of development theory, will be discussed below.
58 A Jeffrey - Political Geography, 2006 – Elsevier. ItalProjekt reopened the market in 2004 as out-of-town mall and tourist attraction Travel bloggers now write about Arizona Market as a sort of world class flea market.
59 In October of 2001, I was driving back to Belgrade from Sarajevo with another international in his organization’s vehicle, white with diplomatic plates, as all of our cars were. As we neared Arizona Market at night after dark, a body went flying up into the air, landing in the road in front of our car. The car in front of us, which had hit a person, pulled over momentarily and then sped away. We stopped and I held the man as he died with no shoes on, having literally been thrown out of his shoes which my colleague found further up the road. Although the area was populated with bars, brothels and cafes, only a few people came to see what was happening. Cars coming up behind us slowed, but pulled around us and continued on. Eventually, one man approached, but did not come too near us and said in an urgent tone – “get out of here! Someone will come and blame you.” We replied that we had not hit the man and they were witnesses to that fact, but he responded, “but there is no way we will talk to police about this,” and he left. We eventually drove on and reported the incident at the nearest police station. The police shrugged and said something to the effect that there were always drunks and people wandering around Arizona Market looking for trouble, as if this were everyday business.
61 Nacional, Zagreb 14 May 2008, After robbing the Croatian postal service in Split, one of the thieves, Zoran Stefanovic, was arrested trying to exchange 350,000 kuna at the Arizona Market. Criminals still know to head to Arizona Market and the police know to expect them to show up there.
and hugely susceptible to critique. Among other common critiques, post conflict reconstruction is too reactive and not thoughtful enough, the entire process is lacking clear doctrine, the players on the ground tend to make decisions far outside of their expertise and the entire process risks being driven by donor funding, rather than any coherent developing doctrine or lessons learned in prior post conflict reconstruction scenarios.

A. Post Conflict Reconstruction is Too Reactive

In the aftermath of war, the individuals who define the programs and initiatives whereby the reconstruction will be carried out tend to be the same individuals who were tasked with keeping the peace and securing cessation of hostilities. For all intents and purposes, too many of these early post conflict programs and initiatives risk being devised by military personnel and diplomats. While an obvious point, it is worth pointing out that the primary objectives of military personnel and diplomats are obeying their command objectives to secure peace. This is a different objective than securing sustainable rights and equality, and each likely requires a different set of professional skills to successfully implement. It is also worth mentioning that the vast majority of these people on the ground, and among those at their various organizational headquarters who are responsible for securing the peace, are male. Few of the people on the ground at the end of a war are the right people to be making decisions about political and economic reform. Because the military are on the ground at the end of the war, they begin acting as if it is their role or their duty to become involved in decision making processes that fall far outside of the scope and capacity of military expertise. They act as if because they recognize a need, for economic reform or rule of law reform for example, they are impliedly suited to respond to that need.

Responding in reactive, emergency mode has negative consequences for many aspects of post conflict reconstruction, and particularly for women. The first negative consequence for women is that the male military and protective figures tend in this setting to see women as hapless victims to be rescued, or occasionally, as was the case with some women in BiH, to be taken advantage of. The second disadvantage is that when the internationals believe they were dealing with “real” emergencies, requiring urgent emergency responses, they are not inclined to consider “mere” women’s issues to

63 The perspective of at least one US Army Colonel is that was “essential for our military force to assume critical civil tasks” in Bosnia because “the civil support elements were slow to deploy.” Colonel Greg Fontenot, U.S. Army (ret.), The Urban Area During Stability Missions Case Study: Bosnia-Herzegovina, Part I, Appendix F, from Capital Preservation: Preparing for Urban Operations in the 21st Century, at 199, [text under a slide with the caption “Remember – It’s the Economy stupid”].

64 Fontenot, Id. “We understood that, by necessity, the brigade would become involved in setting the conditions necessary for civil aspects of the treaty as well as those military. The leadership did not view this as mission creep but understood that civil-military cooperation was an essential, implied task of the mission.”

65 Fontenot, Id. “Successful execution of the military tasks set the conditions for peace by removing the immediate threat of actual combat, but only by achieving routine compliance, restoring the economy, and starting down the road to reconciliation could lasting peace be achieved.”
be an urgent priority. However, one of the consequences of working in the post conflict “theatre,” employing military jargon, and reacting rather than planning, is that even years after the conflict, when there is less of a reason to be treating everything as an emergency, the IC continues to operate in reactive mode, and women’s issues will therefore never be prioritized.

The third disadvantage is that those on the ground during the emergency phase are most often military personnel and diplomats – individuals skilled at keeping and negotiating the peace. These are not the individuals best suited to make economic or social policy, nor necessarily to make long term decisions about sustainable rule of law or human rights institutions. That they are not best suited to do so does not, however, prevent them from doing so.

B. Lack of Doctrine

Because there is no handbook to follow for post conflict reconstruction, save for, in this particular scenario, the Dayton General Framework Agreement for Peace, which served as a sort of constitution or legal working document for moving from cessation of hostilities to sustainable peace and security, the people who are in the field have a tremendous power and ability to shape the entire dynamic and look of a country being reconstructed.

There is no handbook for post conflict reconstruction and so each time the terms are negotiated, they are negotiated anew, with little consideration to what has gone before, in part, as described above, because the peacemaking phases always have and air of extreme urgency about them. The belief is that the peace terms need to be negotiated now and urgently, while the details can be revised later. However, as Dayton demonstrates, far more than the peace terms were negotiated at Dayton. The entire plan long term reconstruction plan, including the plan to create a market economy, was negotiated. And even then gender was not mentioned, nor were the particular needs of women in the aftermath of conflict addressed.

The problem is that gender equity, while making it into the mainstream in development parlance in some regards, has failed repeatedly to make it into post conflict reconstruction plans, which are each negotiated individually, with the negotiators failing to consider that others have gone before them and gained considerable knowledge through recognizing their errors. For instance the term “gender mainstreaming” is used now quite commonly in Europe and in political science and democratization efforts, in the development of so-called “hard” civil and political rights. The term “gender mainstreaming,” and the elements implied in the term, have not, however, appeared to make it into peacemaking and peacebuilding plans across the board. Even though gender

66 Rees, supra note ______ at 58, “the circumstances did not appear to offer the latitude to think about ‘mere’ sex equality.”
67 As argued in Haynes, Deus ex machine, supra note ______ at ______.
68 See Haynes, in Haynes ______________________
69 Id. Haynes
equity is deemed officially required by international instruments and organizations, it will be ignored when there is no formula for post conflict reconstruction and when formulas that do exist are purposely overlooked for the sake of emergency response.

C. Donor Driven

Those who provide the funds, set the tone for post conflict reconstruction.\textsuperscript{70} When it comes to economic engineering, this is especially true. Nation-states have multiple incentives for funding programs in post conflict BiH: 1) improving conditions within BiH to prevent further refugee flows across into their own borders, 2) creating safe and stable neighbors with less likelihood of future war, 3) rendering the markets and resources within the transitioning country available for inter-state business or exploitation by companies within their own countries, 4) creating a country which speaks the same political and economic language, so that political and economic negotiations can take place on terms with which the donor state is familiar and in which the donor state has confidence.

III. Gender, Neoliberalism, and Democratization in Post-conflict Reconstruction

Arguably, the entire post war state of Bosnia and Herzegovina is a construct of the international community and of its liberal economic order. The very Preamble to the General Framework Agreement for Peace, a document setting forth the projects believed necessary for reconstructing the country and securing sustainable peace within it, instructs the IC to engage in the “promotion of a market economy.”\textsuperscript{71} Promotion of a market economy was not an afterthought or one mere tenant in an overarching plan for reconstruction, it was one of the fundamental goals of the process.

A. Democratization in the Postconflict Reconstruction Agenda

[insert “democratization” discussion]

B. Neoliberalism in the Post Conflict Reconstruction Agenda

Even before Bosnia became a state and before the war began, the international community, in the guise of the IMF, was pressuring the Federal Republic of Yugoslavia (FRY) to begin liberalizing its markets.\textsuperscript{72} This liberalization of the markets, towards a goal of democratizing the transitioning states, already had a gender impact. After all, one of the primary components of the great communist experiment in the Soviet Union had been gender equity.\textsuperscript{73} Women’s participation in the labor markets, in particular within

\textsuperscript{70} Id. Haynes
\textsuperscript{71} GFAP, supra note \underline{________}, Preamble.
\textsuperscript{72} See generally, Christine Bell, supra note \underline{________} 91-117.
\textsuperscript{73} R.W. Connell, Gender (Blackwell 2002) at 23.
industrial and technical fields, rose to levels surpassing the west.\textsuperscript{74} As the communist regime collapsed and as the west began pressuring FRY to adopt liberal market policies, women disappeared from the political scene. As the IMF and World Bank pressured FRY to privatize state-owned companies and reduce the workforce, those reduced were the women.\textsuperscript{75}

The story of why women disappeared so quickly from the political scene is an important one to follow. Some scholars argue that the gains made by women under communism were superficial. For example, while women had more seats in parliament in the USSR than ever before, and more than western women in other legislative bodies, the parliament of the USSR had no power.\textsuperscript{76} This is particularly interesting as one of the critiques of democratization and human rights in the context of gender is the emphasis on political and procedural rights without enough attention to substantive economic and social rights.\textsuperscript{77} The male patriarchies dominating the communist landscape were allegedly guilty of the same, tending to prove the feminist argument that it is the state itself, not the particular political or economic philosophy employed by the state, that is patriarchal.\textsuperscript{78}

\textbf{C. Gender Absent from the Post Conflict Reconstruction Agenda}

Within the particular community of gender scholars in the Balkans, the academy questions the inconsistent attention of the western interveners who sometimes treat women in Bosnia as “‘a blind spot’ . . . prevalent [only for their] non-presence, ‘footnote’ presence or ‘case study’ presence,” and yet at the same time look to Bosnian women as “everyone’s case study” as the “face/body of (post)war trauma.”\textsuperscript{79} And from the perspective of their own nationalist brethren, the Bosnian woman has gone from “the idealized working woman of socialist rhetoric [to] . . . the equally idealized mother of the nation.”\textsuperscript{80} When rare efforts are made to include women in the post conflict

\begin{itemize}
  \item \textsuperscript{74} Id.
  \item \textsuperscript{75} Haynes, Used, Abused, citing statistics on the percentage of women unemployed among all of the unemployed at around 70%, at \________.
  \item \textsuperscript{76} Connell, supra note 51 at 24, citing Irina Novikova, \textit{Soviet and Post Soviet masculenities}, in Breines, Connell, Eide, eds (Paris: UNESCO 2000) pp. 117-29. Similarly, Tatjana Duric Kuzmanovic argues that in Serbia while women were supposed to be equal partners in the socialist economy, “in reality, patriarchal gender regimes dominated women’s lives in the household, and gender inequalities remained present both in the private and public spheres . . . . Women were more commonly employed in poorly paid industries . . . [and] women received 15% lower salaries [for performing exactly the same work], supra note \________ at 5.
  \item \textsuperscript{77} Feminists have long argued that “theories of the state tend to forget that the state is only one of society’s centres of power.” Connell,, id. at 104
  \item \textsuperscript{78} Id., at 103-4, describing the “obvious” reasons why feminists have viewed the state as a patriarchal institution.
  \item \textsuperscript{79} Dr Jasmina Husanović Gender, Empire, and the Politics of Central and Eastern Europe: A Gender Symposium, Budapest, May 17-18, 2007, Central European University, available at \url{http://www.duke.edu/womstud/JasminaHusanovic.doc}; at the same time, Dr. Husanovic makes the post-colonialist argument that Bosnian women have become “everyone’s case study” as the “face/body of (post)war trauma”. Id.
  \item \textsuperscript{80} Walsh, M. USAID Working Paper, citing Bracewell
\end{itemize}
development concepts, the women in question are essentialized. Despite the efforts at “gender mainstreaming,” with its emphasis on securing for women positions of governance, activities like rampant human trafficking take place in Bosnia because women in Bosnia (not just Bosnian women) are not talked to or consulted or truly seen. They are at best pawns in a neoliberal enterprise.\(^{81}\)

Madeleine Rees, the former Head of Office of the UN High Commissioner for Human Rights in BiH further argues that while it was shocking that so many international players and institutions could fail to include a gender dimension when setting forth the rules by which an entire country would be reconstructed, this omission was particularly egregious given the gendered dimension of some of the most heinous crimes committed during this war.\(^{82}\) Women were not being considered at all by the internationals purporting to reconstruct the country, even though during the war the crimes committed against women was frequently invoked as a basis and legal justification for international intervention.

Bosnian women are struggling to find their own faces and own voices, and in so doing, have had to pull off layer upon layer of narratives created by the international community, many of which simply fail to take them into account, save for the required “gender mainstreaming” components of the various reconstructions programs. To stave off being essentialized, to prevent “being consumed by new forms of colonising biopolitics,” the women “resist and engage, through imagining and enacting [the] kinds of politics that might radically transform the future.”\(^ {83}\) Gender is, in fact, important to consider in the reconstruction of a country very simply because “a gender perspective makes the differences in power between women and men from different communities visible. This requires highlighting the experiences of women because, relative to men’s experiences, they have been largely invisible.”\(^ {84}\)

Employing the language of post-colonial feminist theory, Bosnian women tie their struggle to one which locates a large part of the problem in neoliberalism. “[H]egemonic discourses of neoliberalism lend a quality of inevitability to the integration of east into

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1995, 27).
81 “While neo-liberal politics have little to say, explicitly at least, about gender (after all, they speak the gender neutral language of the markets, individuals and choice), the world in which neo-liberalism rules operate is a gendered world and neo-liberalism has its gender politics, as the downgrading or dismantling of equal opportunity programmes and women’s policies and social services restrict the freedom of choice of most dependent on them.” Askola, *Legal Responses to Trafficking in Women for the Purposes of Sexual Exploitation in the European Union* (Hart Publishing 2007).
82 Rees, supra note _____ at 55. Additionally, Rees states, women constituted a high proportion of displaced persons and refugees, the very groups the IC was in BiH to assist.
Women in the Balkans, because of their unique vantage point in experiencing simultaneous economic and political transition, war and reconstruction, are leading the way in thinking about the impacts of economic policy on women. For Bosnian women to move forward, they believe, they must resist the neoliberal agenda; create an “anticapitalist transnational feminist practice—and on the possibilities, indeed on the necessities, of cross-national feminist solidarity and organizing against capitalism … in the context of the critique of global capitalism (on antiglobalization). . . .” The neoliberal version of capitalism is not the only problem, but it is indeed one of the problems.

In describing the subservient nature of the post war state of Bosnia, with its fledgling and complicated federal sovereign structures and internally-supported economy, some have referred to the country itself as a “courtesan state,” prostituting itself and sublimating the will of its people in order to secure the essential economic assistance. Bosnia itself as sex pawn or sex slave, but enslaved to the west by its need for money and global acceptance. The problem is not limited to Bosnia, either, but is shared by countries of the former Yugoslavia which were involved in the war, and which do not have direct and immediate access to the European and world markets, such as Serbia and


88 Mittleman, J and R. Johnston, The Globalization of Organized Crime: the Courtesan State, and the Corruption of Civil Society, Global Governance, 5 (1) 1999, pp. 103-127. In particular, they critique the offering of services to wealthy foreign interests while ignoring the need for provision of social services for its underclass, pointing out that it will be organized crime which steps in to bridge this gap.
Montenegro. Among the local populations of these countries, not everyone finds the new economic order to be benefitting them or their country. The international community had a mission to reconstruct and democratize Bosnia. The mission, however, was strong on procedural democracy (free and fair elections) and short on substantive democracy (equality and fairness), particularly during the first five years after cessation of the war. Because of the heavy emphasis on procedural democracy, combined with the heavy criticism for having organized elections too early, the IC left itself open to charges that “democratization” was really just a cover for “capitalism.” Only later, when the IC got around to creating and strengthening human rights institutions (the Human Rights Chamber, the Ombudsmen) and the rule of law (the Constitutional Court, vetting of judges appointed under the old regimes), was it possible to see the link between democracy and human rights. But by then, so much was made of liberalizing Bosnia’s market, and so little was made of the substantive inequities in that market (massive ethnic and gender-based job discrimination, for instance), that there was no place for discussion of social and economic rights in Bosnia. In regards to human rights, too, it was the “hard” procedural rights most familiar to western neoliberal states (political and civil) that took precedence, while the “soft” rights (social, cultural and economic) received little to no attention. Ironically, the American Supervisors of Brcko were slightly more attentive to the soft rights and substantive democracy, than was the rest of the IC in relation to the rest of Bosnia.

When it comes to gender, too, the IC is best at the procedural and visible aspects of gender mainstreaming; primarily, putting women into elected office. Of all of the countries and entities within the former Yugoslavia, those with the most women in

89 Interview with Tariq Ali Neo-Liberalism and Protectorate States in the Post-Yugoslav Balkans, Global Balkans, Feb. 6, 2009, available at http://www.counterpunch.org/gb02262008.html “The post-intervention period since October 5th is known as the “tranzicija” or “transition” in Serbia. What we are witnessing now is an accelerated privatization program, mass unemployment, massive impoverishment following upon ten years of war, the highest number of refugees and internally displaced people in Europe, and a lot of promises of a better future through privatization and so on.”

90 “I don’t think that transition to a neoliberal state run on neoliberal lines with the market determining everything can help the citizens of that state, whatever it is. So it is going to be and it is being--as we know-a messy and one-sided transition which will not benefit the bulk of the population.” Id. Global Balkans.

91 For more on this, see D. Haynes __________ in D. Haynes, ed. Deconstructing the Reconstruction - _________.

92 By contrast, academics have written about how Northern Ireland and South Africa avoided neoliberal social and economic engineering in Elizabeth Crighton, Beyond Neoliberalism: Peacemaking in Northern Ireland Social Justice, Vol. 25, 1998, critiquing “liberal internationalism at work, [creating] a neoliberal project in search of economic stability rather than reconciliation and social justice” and Paul Williams; Ian Taylor New Political Economy, Volume 5, Issue 1 March 2000 , pages 21 – 40 remarking that the ANC “saved South Africa from becoming another Bosnia.”

93 For example, the Supervisor insisted on ethnically integrated education, even when all ethnic groups in Brcko opposed it. A. Jeffrey Building State Capacity in post conflict Bosnia and Herzegovina: The case of Brcko District, Political Geography 25 (2006) p. 216
elected office are the Federation of Bosnia and Herzegovina, followed by Kosovo;\footnote{Dr. Marina Blagojevic \url{http://www.newr.bham.ac.uk/pdfs/Political/Balkans.pol.pdf}, with the former at 29 out of 100 (in 2000) and the latter at 28 out of 100 (in 2001).} not coincidently also the two entities most subjected to international governance. But if, as was argued above in the example of the USSR, those electoral bodies have no real political power, then the addition of women is meaningless. In fact, gender scholars argue that women can actually exercise more power from within NGO’s and other “alternative,” or economic, cultural and social, spheres of power. In Bosnia, while women were virtually invisible in the initial Dayton based political and governance structures and negotiations, women dominated, and can even be said to have created, civil society.\footnote{Cockburn, supra note \_________. This is consistent with the author’s experience of interacting with postwar Bosnian NGO’s, as well. In BiH, argues Madeleine Rees, NGO’s and even the Bosnian government were far more adept at recognizing the importance of gender in post war reconstruction than the IC was. Rees, supra note \________ at 51.} The real issue is whether either serves the purpose of bringing women onto the playing field as equal power holders, or merely serves to check off a “gender mainstreaming” box towards accession to the Council of Europe and ultimately to entry into the European Union.\footnote{Discussed below. See also Id. In which Dr. Blagovic aptly reminds us that in regards to women’s equality “de facto change is not [a] simple consequence of de jure change.” Alternatively, some argue that women seek to reclaim the home as a space, precisely because it is outside of politics and the public sphere, in order to recover from the trauma of war. Walsh, M. USAID Working Paper, citing (Nguyen–Gillham 1999, 196).}

Women who have lived through economic transitions and assistance (or interference) from the international community have been thinking about the gender aspects of economics for some time,\footnote{See, e.g. Sandra Harding, \textit{Can Feminist Thought Make Economics more Objective?}, Feminist Economics 1 \________, pp. 7-32, explaining that gender is expressed in economy and society in three ways: 1) through economic structures such as segregated markets, wage discrimination and division of labor, 2) through symbolic differences such as masculine and feminine job characteristics and paid versus unpaid work and 3) through identity expressed in preferences, beliefs and metaphors.} and the international community would do well to listen and incorporate some of those observations concretely into their post conflict reconstruction programs.

1. Lessons from Development Theory

That the international community would sponsor a Market for men engaged in black market activities to come together to sell their wares, assuming it would engender inter-ethnic harmony with presumably no ill-consequences, calls to mind appropriate technology stories from the international development world. Many inappropriate technology stories have a gender angle, such as this one. When I lived in Chad from 1989 to 1991, a development organization passed through town, spoke with the local leaders and ultimately presented every household with a new, efficient wood burning stove. The goal was to reduce the amount of wood burned, as people (women and girls) walked further and further each day to find firewood with which to cook. The stoves were lovely. They sat low to the ground, and had three openings so that three logs could be inserted from three sides, lit, and then pushed in as they burned inside the stove. The
stoves were so efficient that three logs would last days. We heard that the development organization in question spent one million USD on the project. Over the following year, I noticed that the stoves would be offered to me as a stool to sit on when I came to visit at friends’ houses. When the development agency returned in a year’s time to evaluate the success of the project, they discovered the stoves being used as stools. At this point, and only at this point, did they consult the women of the town, to ask them why they were not using the stoves for cooking. The women told them they had to keep fires burning inside their houses to keep the bugs and snakes out. Had the organization ever asked a woman whether she would use a stove created for outdoor use, they would have learned that their project was worthless. But they never did ask.

This example illustrates many things, perhaps, about culture and gender and the dynamics of giving and receiving aid. But it also parallels the Arizona Market experience to a degree, in that no one asked what their support for Arizona Market would be used to achieve. The neoliberal dream and the myth of the free market was the beginning and end of the inquiry. Whereas those in the development world have learned from past failures to take women into consideration and rectified the situation by developing doctrine and policies to take gender into account, it is not at all clear that those lessons have been normalized into post conflict reconstruction discourse.

98 It also illustrates the concept of metis, as employed by James C. Scott, a political scientist and anthropologist advising on development, -- the notion that the best instincts about a place, the best understanding and knowledge, will be held by the locals, who should be consulted before time and monetary investments are made. See, e.g. Scott, supra note at 311-317. “[A]ny formula that excludes or suppresses the experience, knowledge, and adaptability of metis risks incoherence and failure; learning to speak coherent sentences involves far more than merely learning the rules of grammar.” Id. at 319. Development theory has, therefore, become much more “ground up” and less “top down” in recent decades, yet another level of understanding as yet to be adopted by those in the (non-) field of post conflict reconstruction. “Only by grasping the potential achievement and range of metis is it possible to appreciate the valuable knowledge that high-modernist schemes deprive themselves of when they simply impose their plans,” says Scott, Id. at 323 and capitalism kills metis. Id. at 335.

99 In fact, as to BiH as a whole, no one asked what work had already been done on the topic of women in war. No one even considered women. As Rees points out, the World Conference on Women had been held in the very year the General Framework Agreement was drafted. At the world conference, a paper called “Women and Conflict” was drawn up, developing plans as to what the UN and NGO’s should do to take into account the impact of war on women. Nevertheless, none of that thinking and planning was considered when developing plans for the reconstruction of BiH. Rees, supra note at 56-57.

100 Joseph E. Stiglitz, The End of Neoliberalism, New Europe, August 2008, available at http://www.neurope.eu/articles/88894.php, calling neoliberalism, “that grab-bag of ideas based on the fundamentalist notion that markets are self-correcting, allocate resources efficiently, and serve the public interest well. It was this market fundamentalism that underlay Thatcherism, Reaganomics, and the so-called “Washington Consensus” in favor of privatization, liberalization, and independent central banks focusing single-mindedly on inflation,” but also pronouncing it dead, which I believe to be, unfortunately, an overstatement.

101 See, e.g. Elizabeth Durbin, Towards a Gendered Human Poverty Measure, Feminist Economics 5(2) 1999: ___, advocating for alternative gender indicators for measuring the human dimensions of development in terms of the choices and opportunities women and men face, their freedom of dignity, self-respect and respect for others. See also, Maria Eitel For the First Time in History, Girls were all over Davos, Huffington Post, Feb. 2, 2009, “I’m hoping there will continue to be a focus on girls because they are really so key to successful development and progress,” (quoting U.S. Representative Nita Lowey (D-NY) and Naomi Cahn, women in Post Conflict Reconstruction: Dilemmas and Directions, _ William and Mary Jnl. Women and the Law __, (integrating gender includes”)proceeding upon the recognition that
Neoliberalism has been critiqued heavily in the South and East, often in the context of post-colonialist scholarship. By those opposed it is described as: “The policies of privatization, austerity, and trade liberalization dictated to dependent countries by the International Monetary Fund and the World Bank as a condition for approval of investment, loans, and debt relief.” 102 By those more predisposed, it is described as “a view of the world that favors social justice while also emphasizing economic growth, efficiency, and the benefits of free markets.” 103

In the context of international intervention and post conflict reconstruction, the difficulty of some recipients with accepting the neoliberal agenda comes with the conditions imposed along with it. In order to receive financial assistance (or EU accession), Bosnia must continue to privatize, downsize and liberalize its economy, even if the consequences of those policies have a negative impact on social justice in the polity. Or, put differently, the interveners mistakenly assumed that the free market is the force majeure, with the potential to correct for social injustice, rather than setting overall social justice as the goal, with free market benefits a mere side effect or secondary goal.

Those supporting Arizona Market appeared to operate according to the mistaken belief that the free market would correct for ethnic disharmony, creating a business space in which all strife would fall away in favor of making money. This presupposes a certain faith in the certainty of free market economics. But economics is not science. 104

2. The Impact of Privatization on Women and Minorities

Neoliberalism economic strategies include deregulating markets, reducing taxes and government services and privatizing business. Some scholars argue that the total effect of these policies is detrimental to women in that it shifts resources into male dominated corporations and market mechanisms. 105 The dismantling of socialism has been particularly detrimental to women, as women tend to rely more heavily on public services. 106 Further, in these new private markets, the work done by women can go unrecognized and undervalued. 107

sustainable development requires gender equity,” citing Martha Hirpa, Heifer Int’l, Gender Equity: Emphasizing Full Participation, available at ___________).

104 Neoliberalism, “Myth: Economics is pure science. Reality: Economics is often represented as technical and scientific, based on ‘truths’ from mathematics and statistics. However, economic policy is profoundly political and represents a certain set of scientific assumptions about power and the distribution of resources.” www.globalizacija.com/doc_en/e0024neo.htm
105 Connell, supra note 51 at 108.
106 Id. at 149-150. “Men control almost all of the market based institutions, such as corporations, and acquire most of the income distributed through markets, such as salaries and wages. Neoliberalism, in exalting the power of markets, has thus tended to restore the power and privilege of men.” At the end of the war in BiH, around two-thirds of the population was female. UNICEF (1998) Bosnia and Herzegovina:
One of the primary tenants of neoliberal agenda is the privatization of formerly socially held properties. For the free market to work, businesses and homes must no longer be owned by the state. Privatization had begun in BiH even before the war, whereby the government would provide vouchers based on criteria such as age and military service. Recipients could exchange the vouchers for shares in privatized companies or sell them for cash. Similarly, the former socially-owned apartments could be purchased under a complex scheme whereby persons who had been displaced in the war could apply to repossess their former apartments, occupy them briefly and then sell them.\(^{108}\)

After the war, both of these systems were hugely corrupted in order to continue to carry out war-time goals of ethnic cleansing. Croatia, for instance, passed laws requiring people to file a claim to privatize their socially held apartments within a short time\(^{109}\) of the passage of the law. This effectively prevented all Croatian Serbs who had been ejected during Operation Storm from claiming ownership of their apartments. The apartments were then declared “abandoned” by the Croatian government and given to Bosnian Croats who had been invited by then President Franjo Tudjman to leave Bosnia and populate the formerly Croatian Serb-held sections of Croatia in the Krajina.\(^{110}\) Despite the blatant manipulation of the privatization process to carry out war time objectives of ethnic cleansing in Croatia, the international community barely objected. It was as if privatization itself was the beginning and end the goal. The creation of the market economy was all that mattered, not that the market processes were used to exclude people on the basis of race, efficiently completing ethnic cleansing objectives not fully completed before the Dayton Accords. In Bosnia, too, the various entity leaders attempted to pass laws that would prevent the ethnically undesirable from reclaiming their property. But in Bosnia these laws were overturned by the High Representative once the members of the international community who were responsible for human rights explained the undemocratic nature of the laws and insisted they be overturned.\(^{111}\)

\textit{Women and Children – Situation Analysis, Sarajevo.} See also, Duric Kuzmanovic, supra note \_\_\_\_\_\_\_\_\_\_\_\_\_\_ at 5, stating that the Law on Privatization passed in 2001 in Serbia had the simultaneous negative effect of increasing the supply of available female laborers (because they were the first to be laid off or fired when industries were privatized) and decreasing the demand for women laborers (because patriarchal attitudes which said that men were better laborers still existed).\(^{107}\) Id. For example, in industrialized countries, women earn 59 cents to every man’s dollar, citing UNDP 1999.\(^{106}\) For more on socially owned property and corruption in the return of property, see Philpott and Williams in D. Haynes ed. \textit{Deconstructing the Reconstruction: Human Rights and the Rule of Law in Post War Bosnia} (forthcoming fall 2008 Ashgate: London).\(^{109}\) Check temporal req’s for Laws on Socially Owned Apt’s\(^{110}\) The author’s first UN post was that of Protection Officer with UNHCR in Knin, Croatia, the heartland of the Krajina Serb routing. It served as a clear vantage point to see the impacts of the laws being passed in Croatia on the entire region in terms of displacement of persons and how the manipulation of the privatization laws served to further the war time goals of ethnic cleansing, only this time under the guise of free market economics.\(^{111}\) See Philpott/Williams, supra note 94 for more on the property laws and the IC’s attempts to rewrite them.
Another consequence of privatizing apartments from the former socially held system to privately owned flats, was that many women lost out. Pre war, the socially owned flats had been held as “occupancy rights,” which is something more than a lease and something less than ownership. It is a permanent or long term right to remain, without a right to sell. Before the war, state enterprises owned many apartments, which they gave to the workers or those with military service. After the war, with a housing shortage attributed to war damage and three way ethnic displacement, establishing an occupancy right became extremely complex, and regularly subjected to manipulation by nationalists.

The property laws that were rewritten a number of times in Bosnia, Croatia and Serbia, most with negative consequences whichever was the undesirable ethnic minority in that particular region, also had negative consequences for women, and for single women in particular. For example, the Law on the Sale of Apartments in BiH\(^{112}\) allowed for a reduction in the purchase price based on a percentage of the number of years the buyer had worked. It allowed spouses to combine their years of work to increase the deduction. Although it enabled a surviving spouse to use the work years of the deceased spouse, there was no provision to allow a surviving spouse to combine his or her working years with those of the deceased.\(^ {113}\) Women, both by virtue of longer life spans and the wartime death toll among men, constituted the majority of surviving spouses. Young widows, with few if any working years of their own, and single women with no years to combine, were proportionately disadvantaged.\(^ {114}\)

An additional hurdle with property privatization and gender is that women often held no legal title. For a woman to claim a right to property in a divorce, for instance, when she is not on the title, she must prove that she contributed substantial income during the marriage. Moreover, men could transfer title into the names of others (other family members, for example) so that women had no claim.\(^ {115}\) As such, privatization itself, the lynchpin of the neoliberal agenda in transitioning Bosnia from socialism to capitalism and communism to democracy, exacerbates gender inequality.\(^ {116}\)

As businesses and factories, formerly owned by the state and the employees of those companies, were privatized, the neoliberal agenda also required business


\(^{113}\) Id.

\(^{114}\) There are also arguments, too many for this paper to cover, that war itself disproportionately impacts women, and that this particular war did so. The primary impact areas, in addition to human trafficking, were with displacement (because women locate so much of their lives around ‘the home,’ the increase in domestic violence (increased stress and fewer outlets for it), and girls dropping out of school. Martha Walsh, Aftermath: The Impact of Conflict on Women in Bosnia and Herzegovina, July 2000, USAID Working Paper, available at: http://pdf.dec.org/pdf_docs/Pnacj322.pdf

streamlining. Not every member of the polity could be employed; it was no longer a socialist state. Some people had to be fired to make operations more efficient and competitive in the new, free market. This was a basic prerequisite IMF and World Bank financial assistance to Bosnia. One of the most marked human costs of economic transition from socialism to capitalism across the former Eastern Bloc has been the rise of gender inequity in labor. Women are the first to be downsized or laid off. In some former Eastern Bloc countries, which previously prided themselves for gender equity in the workforce, women now comprise 72% of the unemployed.

As one Serbian feminist economist has stated, transitioning states must ask themselves, “How much does it cost when a woman really earns as much as a man [and] how expensive is it not to take into consideration women’s leadership and potential?”

D. Using Human Rights “Benchmarks” as a Veil to Achieve a Capitalist Market

In order for Bosnia to be invited into the world community on equal terms with other sovereign nations, it must overcome its “courtesan” statehood. And yet, the very terms under which the international community has stated that Bosnia may enter into the world community, and in particular the European Community, are provided for them in the form of a checklist towards accession to the European Union. The list is created by the Council of Europe, a European organization concerned with human rights, and therefore consists primarily of human rights concerns.

But to check off a box on the list requires not the actualization of the human rights protection in question (minority rights or gender equity, for instance), but the appearance of such protections in the form of, typically, a law requiring the protection of such rights. The law must be passed; no one checks to ensure that it is then implemented. Of course, the fact that the list merely asks for a law, and not the actual implementation of the law itself, does not in and of itself mean that this is a bad approach. On the contrary, the incentive to join the European Union has probably been more of a catalyst for Croatia, Bosnia and Serbia than any other carrot or stick in encouraging those states to protect the human rights of their citizens and guests.

The other goal of the accession list, however, is economic liberalization of the states in question. In part because most sovereign states in today’s world community make a link between the protection of human rights and a liberal economy, despite ample

117 Similarly, many jobs were held for ex-military, all of whom were men, effectively eliminating women from being hired. OSCE Human Rights Department Report on Gender and the Workplace, 1999, on file with author.
119 Djuric Kuzmanovic, supra note __________ at 5.
120
121
evidence that severe labor exploitation and labor discrimination are staples of many liberal economies. In part because the liberal states of the world community are in the business of promoting their own businesses and industry, which hope to quickly enter the newly privatizing countries and be the first on the ground to exploit whatever business opportunities and natural resources might exist.\textsuperscript{122} Ironically, liberalized states have this in common with less liberalized states, China and Russia, for instance, which also rush in to fill the vacuum with their industry and to snatch up any natural resources which might be for sale. In this respect, the common factor is economic self-interest, not a goal of liberalizing the economy of the transitioning state, per se. And the people being transitioned are caught in the middle.\textsuperscript{123} Finally, western states impose the checklist because they make the link between politically safe neighbors and political partners, and liberalized economies. Capitalist states are safe to deal with and engage in world politics with, they believe, while socialist states are not.\textsuperscript{124}

\textsuperscript{122} For example, western governments believed that there were oil deposits in parts of Bosnia, and made sure that those regions were under US control, and Amoco was on the ground in 1996 to make assessments. Additionally, the World Bank substantiated "substantial petroleum fields in the Serb-held part of Croatia." Michel Chossudovsky, Dismantling Former Yugoslavia, Colonising Bosnia, 1996, available at \url{http://www.sarantakos.com/kosovo/ks3yugo.html}, citing World Bank, World Development Report 1991, Statistical Annex, tables 1 and 2, Washington DC, 1991.show greater interest in gaining access to potential strategic natural resources than committing resources for rebuilding Bosnia. when the World Bank loaned money to Croatia after it seceded from Former Yugoslavia, it “demanded a Croatian capital market structured to heighten the penetration of Western institutional investors and brokerage firms.” See also Chossudovsky, “this notion that big empires act only out of narrow economic interests is not true. They act to defend their political hegemony on a global scale, and we’ve seen this time and time again. Why did the British take Africa when they were an Empire? Not because they got more money out of Africa--the figures are very interesting. The British made more money from their investments in Argentina, which they never occupied, than they did from most of Africa. They did it because it suited their global strategic needs. And the occupation of Yugoslavia suited the global strategic needs of the United States once it saw that the Europeans had made a big mess, breaking up a country and not being able to deal with it. Then they went to show the Europeans that “we are still around and we are the power here.” Global Balkans.

\textsuperscript{123} “neoliberal economic policies are being implemented at a vastly accelerated pace throughout the Balkans. Most of the population, whatever their political orientation, are caught between what in Serbia are now called the ‘tajkuns’ (tycoons), that is new term for these local tycoons who have profited off of all the instability, and, on the other hand, foreign multinational capital.” Global Balkans. Another example of this comes from Michel Chossudovsky, Dismantling Former Yugoslavia, Colonising Bosnia, 1996, available at \url{http://www.sarantakos.com/kosovo/ks3yugo.html}, who points to the fact that a precondition for the massive loans Croatia borrowed from the IMF just after it seceded from the Former Yugoslavia, was a series of “economic reforms” which resulted in plant closures and bankruptcies, driving wages to abysmally low levels. The official unemployment rate increased from 15.5 percent in 1991 to 19.1 percent in 1994, ” as well as “dismembering” its large formerly state-owned utilities.

\textsuperscript{124} Michel Chossudovsky, Dismantling Former Yugoslavia, Colonising Bosnia, 1996, available at \url{http://www.sarantakos.com/kosovo/ks3yugo.html}. The author makes the case that “Despite Belgrade’s political non-alignment and extensive trading relations with the US and the European Community, the Reagan administration had targeted the Yugoslav economy . . . . to promote a ‘quiet revolution’ to overthrow Communist governments and parties’... while reintegrating the countries of Eastern Europe into the orbit of the World market.” Citing Sean Gervasi, "Germany, US and the Yugoslav Crisis", Covert Action Quarterly, No. 43, Winter 1992-93. He further argues that the economy of Yugoslavia was already failed before the war, due to the success of these policies. See also, USAID arguing that: ‘Americans benefit as the economies of transitional and developing nations become more open and market oriented and expand’. USAID, Strategy for Economic Growth, presentation to Congress on 1998 USAID Budget.
Therefore, when the international community negotiated peace at Dayton, it ensured that its economic interests would be protected. The Constitution, one of the Annexes to the Dayton General Framework Agreement for Peace, hands control of all Bosnian economic policy and institutions to Bretton Woods institutions and the London based European Bank for Reconstruction and Development (EBRD). Article VII stipulates that the first Governor of the Central Bank of Bosnia and Herzegovina is to be appointed by the IMF and "shall not be a citizen of Bosnia and Herzegovina or a neighbouring State..." While the Central Bank is under IMF custody, the European Bank for Reconstruction and Development (EBRD) heads the Commission on Public Corporations, which supervises operations of all public sector enterprises including energy, water, postal services, roads, railways, etc. “The President of the EBRD appoints the Chairman of the Commission which also oversees public sector restructuring, meaning primarily the sell-off of State and socially owned assets and the procurement of long term investment funds.”

Feminists and anti-neoliberal thinkers have identified the self-interest of the donor countries imposing the standards as a problem for them, as well, arguing that women’s rights discourse, when it is discussed at all, is being manipulated by the most zealous proponents of the free market. In fact, gender and “gender mainstreaming” are regular components of the accession checklists. The premise of the neoliberal doctrine is to combine the notions of social justice and a free market economy. At its best, the goal would be to bring about social justice, and creating or fostering a free market economy would be merely one possible tool in carrying out that mission of securing social justice. Instead, the tail is wagging the dog. The goal, as seen by the international community in Bosnia, is the free market economy – although sometimes they call it “democratization,” intimating that to most western donor countries, democracy and a free market economy are synonymous.

Filtered through the thinking of the international community around the creation of and support for Arizona Market, social justice, or “human rights,” becomes a nice by-product of the free market (if we build this market, ethnicities might get along). And then later, some members of the international community carry it further, and begin to act as if the free market has the power to actually correct for social injustice or lack of human rights (the liberalized economy in Arizona market will create peace and harmony). When accession checklists are created, full of human rights goals, it no longer matters whether those goals are implemented or carried out, only that the laws are written. It is as if the belief among the international community of post conflict interveners has become -- if you create a free market, human rights will follow. Not surprisingly, feminists and anti-neoliberal thinkers disagree.

125 Id.
127 Dr. Marina Blagojevic http://www.newr.bham.ac.uk/pdfs/Political/Balkans.pol.pdf Between the process of providing a formal framework for gender inclusion, and the process of accession, or “closeness” to the EU, there is a clear connection.
IV. Conclusion

Of the unsavory and often criminal activity taking place in Arizona Market, one American Colonel ironically observed, “unregulated capitalism is a pretty rude sort of activity.”\textsuperscript{128} What is unclear is whether he was sanctioning this as inevitable, or critiquing it as an unsavory by-product of a liberalizing economy. In either case, however, his words suggest some of the more simplistic of recommendations for differently approaching post conflict reconstruction.

A. Longer term post conflict sustainability projects should be carried out by people with training in that area, who are mindful of how to achieve the tasks without sacrificing women’s human rights, dignity, and physical and psychological integrity in the process. This means that military must overlap with and consult with persons who should have agendas not limited to immediate physical security.

B. Capitalism might not be the right goal. Regulation serves a purpose, offering protection against those who are too self-interested when it comes to exploiting newly developing markets, but also serves to protect against criminal exploitation of labor, including human trafficking.

C. It is not clear that market liberalization need be a necessary component of post conflict reconstruction. While it is clear that those international nation states undertaking the role of contributing to the post conflict reconstruction in BiH were largely (though not all) capitalist economies, this demonstrates only that those nation states wanted to engineer a new state with which they could invite into the economic fold of free market economies. It does not necessarily prove that an unregulated free market economy in BiH is necessary to its development into a country in which the rights of all are respected.

D. Democratization per se can mask the true objectives which should be achieving the components of a democratic society:

E. Neoliberalism is not a substitute for human rights any more than the creation of a free market automatically serves to achieve human rights protections.

F. At present, the lack of doctrine and the push by interested governments and their diplomatic and military representatives to prioritize free market and military objectives are leading to the unnecessary sacrifice of human rights and women’s rights in the aftermath of war.