

# Human Dignity and Humiliation in the Context of Post-War Society of Bosnia and Herzegovina

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## Introduction

*Human dignity* is one of those terms with manifold meanings, ranging from legal, psychological and social to philosophical. *Humiliation* too is a term with almost as broad span of meanings and interpretations and almost implicitly associated with, human dignity. In addition to being defined within the context of jurisprudence, sociology, psychology and philosophy, *human dignity* and *humiliation* can also be defined in terms of *interpersonal* and *non-personal (social)* relationships.

This essay will explore human dignity and humiliation phenomena in the post-conflict Bosnia and Herzegovina (BiH) by examining them in two different contexts. The first context in which this essay will address the issue of human dignity and humiliation is the one directly related to the war, specifically the slow and insufficient punishment of the perpetrators of war crimes by international and national judicial institutions, which constitutes a form of humiliation of the victims’ family members and the surviving victims of war. The other context of human dignity and humiliation to be examined in this short essay refers to one of the most prevalent form of *social capital*<sup>1</sup> in post-war Bosnia and Herzegovina – the excessive level of personal connections, or more specifically unethical use of personal connections, with natural and proven potential to evolving into *opportunism* and *corruption*.

*Social capital* in this context may be seen as an aspect of contemporary Bosnian society that has been significantly ignored and undermined by most analysts of the post-war Bosnia and Herzegovina, in spite of the fact that it is precisely this particular aspect of the society that may explain much of the malfunctioning in post-war Bosnia, as well as explaining the dominant value system.

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<sup>1</sup> Social capital may be understood as the socio-economic benefits for both individuals and communities that result from the every-day functioning of social networks (UNDP-THE TIES THAT BIND-Social Capital in Bosnia and Herzegovina, the National Human Development Report 2009, <http://www.undp.ba/index.aspx?PID=36&RID=90>, p. 6.

The focus on examining human dignity and humiliation through social capital in this essay stems from the notion that it is precisely social capital, or more specifically ‘*belonging*’ (to a social network or networks) that forms the core of well-being of an individual and the well-being of a society as a whole. The essay will show how human dignity and humiliation directly affect human well-being. Consequently, if social capital is based to a large degree on unethical foundations, such as exclusive and/or personal gain effectuated through personal connections, those who refuse to be part of such social capital actually turn into socially ‘*network poor*’ individuals, for they have very limited choice of alternative, ethically oriented social networks to be part of. In consequence, being excluded from a social network or networks, or being ‘*network poor*’ certainly directly humiliates human dignity, both as a feeling and as an ethical ideal. Finally, humiliation of human dignity by means of social exclusion directly affects the well-being of the excluded individual and certainly the well-being of the society as a whole. One potential solution to this problem that might not have been taken seriously enough in post-war Bosnia, and perhaps by humankind in general is the possibility of creating social(izing) networks, or eventually the most of the social capital of a given society based primarily on ethical grounds and ideals – fairness, empathy and responsibility for one’s actions, to name just a few.

But first of all, it might be necessary to briefly provide some guiding definitions of human dignity and humiliation.

### ***Human Dignity and Humiliation***

As mentioned above, *human dignity* has manifold meanings and a very wide array of interpretations, ranging from legal, through psychological and social to philosophical. This is one of the definitions of human dignity:

*“The dignity of the human person is not only a fundamental right in itself but constitutes the real basis of fundamental rights. The 1948 Universal Declaration of Human Rights enshrined this principle in its preamble: ‘Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world’”*<sup>2</sup>

Enquiries into human dignity are basically associated with *ethics*. Hence, one will often find this term in the same context as terms belonging to the ethics vocabulary, such as *Human Rights*, *Justice*, and in particular *humiliation*, which is often found in texts as an integral part of the study of human dignity, as its farthest opposite and something that seems to be slightly easier to define than human dignity. In essence, all of the abovementioned ethical values boil down to *equity* and *equality*, generally perceived as a foundation and the prerequisite for justice in the broadest sense.

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<sup>2</sup> [http://www.eucharter.org/home.php?page\\_id=8](http://www.eucharter.org/home.php?page_id=8)

In legal terms equity can be defined as a mechanism to provide a respect of human dignity and at the same time a mechanism to protect the vulnerable, which is at the core of any ethical enquiry. Realistically, however, one cannot expect the ideal equity, or as Megarry, R.E. rightly notes: “*A large portion of natural justice in its widest sense is not judicially enforced, but is left to the conscience of each individual*”.<sup>3</sup>

However, it is precisely within this domain of “*the conscience of each individual*”, the domain mostly not covered by legal provisions in which a huge amount of humiliation occurs in reality. Social networks (socializing) and social capital in general constitute one such domain - the domain in which an individual that does not rank high within the given social network is unprotected by law and left to the conscience of those higher ranking. This order by default constitutes humiliation to the vulnerable individual or a vulnerable group within a social network. This of course is not the case in social networks based on equality and equity, but the problem is that such social networks seem to be very few in general, and evidently inferior to social networks based on dominant-subordinate status networks, be them religious, ethnic, political, corporate, and opportunistic or the like. Thus, Human dignity may exist only in the context where there is no humiliation, and humiliation, as indicated above is prevalent in an environment dominated by dominant-subordinate relationships, those void of equal dignity for all.

In general, Human dignity can be divided very roughly into *human dignity* as an internal, psychological phenomenon (emotion), and external, social one, mainly dealt with within the domain of legal, social and political science.

In psychological sense, human dignity refers to *human sense (feeling) of self-worth*, from which our need to be valued by others derive. One may easily recognize human dignity as a psychological phenomenon (the feeling) as one of the human needs Maslow identified under the category of *esteem*, according to which “*all humans have a need to be respected and to have self-esteem and self-respect. Also known as the belonging need, esteem presents the normal human desire to be accepted and valued by others.*”<sup>4</sup>

Although opposed to Maslow’s idea that needs exist in the form of a hierarchy, Max-Neef likewise recognizes as one of the fundamental psychological human needs the need for freedom, which includes human autonomy (a need not to be subdued/subjugated and humiliated), effectuated in the context of equity, as a part of the foundation of modern law, specifically *equal rights*. Linguistically, equality nowadays is generally perceived as a legal term, referring to equality in power and political status, stemming from the natural justice/natural law, more specifically the concept of *inalienable right*,<sup>5</sup> but the roots of it may be found precisely in the abovementioned natural (psychological) human needs that intermingle mutually, specifically *the need to freedom* (autonomy), *the need to be respected*

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<sup>3</sup> Black's law Dictionary, Eighth edition, p. 579.

<sup>4</sup> Lefton, 1998, p. 373, 438-439.

<sup>5</sup> Black's Law Dictionary, Eighth edition, p.579.

(to have self-esteem and self respect) and *the need to belong*. It is within the scope of these three particular sets of human needs that human dignity in psychological sense can be defined.

Human *need for freedom* may not require particular explanation. It may be simply described as one of those basic intrinsic psychological needs, although the scope and the definition of freedom may significantly vary depending on culture. In general, however, there is a more or less accepted view that human potential for development is highest if it is not constrained by limitations, and freedom in this sense may be defined as absence of those limitations or obstructions of a healthy human development.

The *need to be respected* has a pretty wide scope of forms, ranging from the provision of a better protection to those in subordinate positions (subordinates), to providing motivational relationships, which implies moving beyond that neutral, passive non-violent communication (in the sense of mere absence of animosity in communication and relationships) and stepping into the realm of motivating people through communication and relationships.

Humans belong to multiple hierarchies and tend to value most the one in which they rank highest. A reasonable argument can be made for one realm of human experience in which hierarchical ranking is meaningful in the context of stress and health: socioeconomic status (SES).<sup>6</sup>

Sapolsky<sup>7</sup> maintains that there is a disproportionate share of poor health among humans, regardless of gender, age, or race; with or without universal healthcare; in culturally homogeneous societies or one's rife with ethnic tensions; and under governments with socialist or capitalist credos. This implies that subordination (other than the one that literally deprives a person of basic physiological and psychological needs, i.e. depriving a person of food or freedom of movement, or enslaving) is not perceived identically across different cultures, societies and systems, and it is certainly not perceived in the same way by every subordinated individual, as there is a very wide range and variety of different cultures and a wider variety of psychological makeup of individuals within each of these cultures.

There seems to be indeed plenty of indicators that it is the personal feeling about one's ranking status and ranking honour that affects the health of the concerned individual rather than the actual objective financial poverty.

According to Sapolsky, poor health is not so much the outcome of being poor, as much as it is the outcome of *feeling* poor, that is, feeling *poorer than others*. Therefore, poverty, rather than being an absolute measure, is a subjective assessment that is mired in invidiousness. This conclusion has been demonstrated in studies that assess subjective SES (subjects were shown a picture of a ladder with ten rungs and asked to indicate where they place themselves in their society in terms of "how they are doing"). Remarkably, subjective SES was as good or better a predictor than objective SES of stress-related health outcomes (cardiovascular and metabolic measures, glucocorticoid levels).<sup>8</sup>

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<sup>6</sup> Sapolsky, 2004, p. 408-409.

<sup>7</sup> Sapolsky, 2004, p.412.

<sup>8</sup> Sapolsky, 2004, p.410.

Therefore, we may say that the need to be respected is primarily violated in the absence of equity and equality, and the latter are in turn undermined by the system of values based on ranking order.

The concept of ranked honor is the single largest “master manipulation” ever perpetrated. The driving force is the hideous suggestion entailed in ranked honor that it is unavoidable, either divinely ordained or nature’s order, that dignity is not equal but that “higher” beings are meant to preside over “lower” beings expected to subject themselves to their masters’ belief systems and decisions. In this way, ranked honor underlies and facilitates a host of other manipulations—it gives the power to define what is and what ought to be to a small master elite.<sup>9</sup>

Certainly, subjugation is not only physical. It can also be non-physical, meaning it may be effectuated through hurt feelings, or more specifically the hurt feelings of the person subjugated/subordinated against his/her will about their worth. Furthermore, subjugation/subordination can be direct or indirect, and subjugators range from a boss at a workplace, who can subjugate or humiliate his/her employee verbally or by reducing their salary, undermining or offending them in front of other employees etc., all the way through to subjugation carried out by authorities (e.g. disrespecting laws on Human rights, reducing social benefits, reducing funds for public services and public goods, , favouritism, nepotism and cronyism in the process of employment, etc.).

Therefore, humiliation may be defined as subjugation or a forcible derogation/lowering of another person’s feeling/sense of self-worth.

Finally, human *need to belong* can be observed in almost any human interaction we witness daily. People want to belong and they do belong to clubs, societies, sects, nations, religious, political or any other group. Shortly, human beings are defined as social beings. The deprivation of a human to genuinely belong to a group affects not only the deprived individual, but it affects the group or groups or any other larger entity to which he/she formally belongs. For example, an employee who is not included in a company’s working group/team or teams, or is excluded from the group of his/her fellow colleagues after work socializing has proven to perform poorer than others.

Just a few years before the end of World War II Trist conducted a research in English mines and the results, among other things showed that the efficacy of miners depended to a large degree on the level of satisfaction of their social needs in the course of their work – the need to socialize, the need to be accepted and respected by their co-workers.<sup>10</sup> Through the example of miners Trist demonstrated that the satisfying social needs (to be free, to belong and to be respected) is not only a prerequisite for overall human well-being but also a potential driving force, a motivating and inspiring factor. All the burden and the hardship that only a miner can have is alleviated by miners’ creating close friendly socializing relationship

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<sup>9</sup> Lindner, 2009, p.xvii

<sup>10</sup> Bojanović, 2009, p. 140.

among themselves, and not just that – Trist's research indicated that miner's functional socializing relationship maintained their efficacy at work.<sup>11</sup>

Shortly, people exposed to hardship or subjugated to force under certain circumstances historically show tendency to develop a sense of dignified in their defiance or resistance to a restraining or the suppressor force.

As a survivor of the siege of Sarajevo from 1992 to 1995, I recall that in spite of being one of many living/moving targets for those that besieged the city of Sarajevo, and in spite of the constant fear of losing my life, I would say that there was a feeling of pride and spite, and certainly a boosted sense of self-worth (dignity), being someone who is defying a far more superior enemy/assailant/subjugator/subordinator, and someone who is not alone in that defiance but joined hands with all other individuals who were in equal position entrapped inside the besieged and shelled city. Those that besieged Sarajevo and shelled it daily, destroying the city and massacring its civilians may have wished to humiliate Sarajevans by keeping them under siege, exposed to hardship of mere survival under the constant lack of electric power, water and food and the risk of being killed any minute by a sniper fire of mortar shell, but indeed I recall feeling dignified in the company of my fellow-survivors, as naive as it may sound.

This makes me think that humiliation should not be confused with torture, direct or indirect, for not every form of torture invokes the feeling of suppressed self-worth, which is what humiliation practically boils down to. In the context of a besieged citizen of Sarajevo, the absence of the feeling of humiliation (in terms of „stratification of Human worth“) may precisely come from the fact that one such citizen, in spite the almost unbearable hardship of survival was in fact one among the equals and shared that experience of brutal survival with others that were entrapped inside the city. In other words, the strong feeling of defiance, spite and pride was possible among the citizens of the besieged city under daily fire for they were all more or less in equal position, in accordance with the known rule “*together we stand-divided we fall*”, and perhaps more importantly their dignity in defiance might well have been boosted by the fact that they represented what has traditionally and culturally been perceived as a noble cause – a resistance of the inferior (the vulnerable) against the superior (the oppressor).

The founder of Human Dignity and Humiliation Studies network, Evelin Linder defines humiliation as the enforced lowering of a person or group, a process of subjugation that damages or strips away their pride, honor, or dignity. To be humiliated is to be placed, against your will (very occasionally with your consent as in cases of religious self-humiliation or in sadomasochism) and often in a deeply hurtful way, in a situation that is greatly inferior to what you feel you should expect. Linder maintains that in everyday language, the word *humiliation* is used, at a minimum, in three different ways. First, it signifies an act, second, a feeling, and third, a process: “*I humiliate you, you feel humiliated, and the entire process is one of humiliation.*” Humiliation entails demeaning treatment that transgresses established

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<sup>11</sup> Bojanović, 2009, p. 140.

expectations. It may involve acts of force, including violent force. At its heart is the idea of pinning down, putting down, or holding to the ground. One of the defining characteristics of humiliation as a process, according to Lindner<sup>12</sup> is that the victim is forced into passivity, acted on, and made helpless. People react in different ways when they feel that they are unduly humiliated. Some people may experience rage. When this rage is turned inward, it can cause depression and apathy.<sup>13</sup>

If one should apply Linder's tripartite definition of humiliation to the siege of Sarajevo, one would then find that the situation was a humiliation as an act - the act of the siege and daily destruction of the city with its civilians, carried out by the military and paramilitary forces. However, it was not really a humiliation as a feeling for the besieged citizens/civilians felt very dignified and proud in putting up an astonishing resistance against a heavily armed force that put them under siege. The siege and the destruction of Sarajevo and its civilians might not be a humiliation as a process either, given that the attempt to humiliate the citizens of Sarajevo by keeping them under total control during the siege failed as a process precisely because the besieged citizens were not broken nor forced into passivity and feeling of helplessness, at least not for the most of the siege time. In turn, the besieged citizens were not succumbed by passivity, the feeling of helplessness and despair most likely due to the strong bond that tied them together in their joint survival. They also had the advantage of the morale as they were putting up a strong resistance against a far more superior military force. No doubt that under such circumstances under which they could satisfy their need to belong, the need to be respected, and even the need for freedom (in terms of their strive for freedom), their feeling of self-worth (human dignity) was boosted.

Therefore, the abovementioned situation demonstrates the role that *equality/equity* and *the power dynamics/power balance* play in terms of human dignity and humiliation.

Hence, the overriding element in psychological aspect of Human dignity and humiliation are the emotions, specifically the feeling of self-worth. As an illustration, one might also refer to the excitement of Charles Hanneken following the announcement of a research he conducted at Harvard with his fellow medical professionals: "*Now we have the proof! Emotions/feelings, positive thoughts and genuine care can heal. They can speed up the healing process of a patient!*", as recalled by Michael Weger.<sup>14</sup> Professor Hademar Bankofer points out to the power of emotions/feelings by reminding us that in addition to having the evident healing power, both psychologically and physiologically, emotions/feeling may on the other hand be the main causes of deteriorated health, causing digestion-related problems, cardiac malfunctions, depression etc.<sup>15</sup> One may presume that professor Bankofer here refers to what we might popularly call 'negative emotions/feelings', which very often may have to do precisely with the feeling of self worth, or Human dignity and humiliation.

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<sup>12</sup> Lindner, 2009, p.55.

<sup>13</sup> Lindner, 2009, p.55.

<sup>14</sup> Weger, 2001.

<sup>15</sup> Weger, 2001.

It should logically follow that Human dignity, as defined and incorporated into the *Universal Declaration of Human Rights* stems from the recognition of the feeling of self-worth (Human dignity) by humankind as a realistic and intrinsic element of human psychology, an element whose vulnerability can seriously affect human well being if not protected adequately. It is precisely for this reasons that humankind devised legal provisions (conventions protecting Human dignity, creation of personal rights etc.) to protect the vulnerable ones from being harmed in this or that way, which certainly includes the protection from the non-physical forms of humiliation, such as all kinds of discrimination, racism, xenophobia, all forms of social exclusion, and the like.

The range of respecting (protecting) Human dignity in human relations is certainly quite broad, from regular, normal non-violent communication of the kind that seems to take place in majority of communications, to the kind of communication and relationships where individuals or groups are treated in a way that motivates and inspires them.

Contemporary Bosnian society, as a former war-torn country is one of those societies where a wide range of humiliations seem to be more visible than in more developed ones, starting from those most extreme forms of humiliation peculiar to times of war (as mentioned above), through humiliation as a consequence of post-conflict social injustices (inter-social level), and all the way down to humiliation in interpersonal communication and interpersonal relations, the large degree of which may be interpreted as a consequence of the war and the post-conflict social injustices.

### **The war-related forms of humiliation in post-war Bosnia and Herzegovina**

The feeling of injustice no doubt deeply hurts the family members of the victims of mass murders and the surviving victims of ethnic cleansings and other war crimes committed during the 1992-1995 war in Bosnia.

Psychological compensation for all those wrongdoings during the war, among other things might imply acknowledging the losses and sacrifice, adequate and timely punishment of war-crime perpetrators and the sanctioning of the still existent nationalistic rhetoric and ideology that particularly upset the victims, as they have direct connotation to the war-related crimes and sufferings.

Difficulties in achieving rights of the war victims in the post-war Bosnia also include inequality in the distribution of the compensation of damages caused by war (psychological traumas, loss of property etc.). In other words, the family members of the persons killed by the war criminals are seemingly and logically dissatisfied with the dynamics and the pace of the prosecution of war criminals in Bosnia and Herzegovina, or more specifically, with the low number of prosecutions and very lenient/mild sentences imposed on most war criminals convicted thus far.



As regards local prosecution of war crimes, both the War Crimes Chamber of the Court of Bosnia and Herzegovina and the Special Department for War Crimes of the Prosecutor's Office of Bosnia and Herzegovina continued to operate with efficiency and in compliance with internationally recognised fair trial standards. Strategies on public information and outreach of the Court of Bosnia and Herzegovina have been adopted. However, despite some improvements, the outreach of the Court continues to be insufficient. Raising the currently low level of public awareness is important also because lack of knowledge about the War Crimes chamber has undermined public confidence in its work.<sup>16</sup>

It is indeed fact that only a few dozens of war criminals have been convicted so far, which is in disproportion with the fact that at least a hundred of thousands of civilians were killed, persecuted, tortured, forcibly transferred and ethnically cleansed in Bosnia and Herzegovina. The number of prosecuted war crime cases involving sexual violence remains low as well.<sup>17</sup>

A National War Crimes Strategy, providing for a systematic approach for dealing with the large volume of war crimes cases, was adopted in December 2008. However, only limited progress has been made in its implementation, mainly due to insufficient coordination between the various justice sector institutions and unstable funding.<sup>18</sup>

In the meantime, most of war criminals continue to walk freely around, many of them in Bosnia and Herzegovina, while some potential suspects of war crimes or war crime abettors and supporters even hold senior posts.<sup>19</sup>

### **Non-war related form of humiliation in post-war Bosnia and Herzegovina** *Personal connections – humiliating practices at the heart of social capital*

The Dayton-Paris Peace Agreement signed in 1995 put an end to the 1992-1995 war and brought peace and stability to Bosnia and Herzegovina. The reform progress in BiH was particularly visible in recent years: The Partnership for Peace agreement signed with NATO in late 2006 on April 22, 2010, NATO agreed to launch the Membership Action Plan for Bosnia and Herzegovina. In late 2006 BiH signed the Stabilization and Association Agreement (SAA) signed with the European Commission in June 2008. Tourism industry is revived.

In spite of the fact that Bosnia and Herzegovina is now pretty much visitor-safe and friendly, and is turning into a favourite holiday resort for many visitors, one of the remaining challenges in the reform of BiH and its prosperity is the high level of social injustices. This is evident especially in the prevalence of social networks based on excessive and consequently unethical use of personal connections, often accompanied by or evolving into all sorts of

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<sup>16</sup> Commission of the European Communities, 2009, p.13.

<sup>17</sup> Commission of the European Communities, 2009, p.13.

<sup>18</sup> Commission of the European Communities, 2009, p.13.

<sup>19</sup> 60 minuta, 2010.

favouritisms (personal favours, nepotism-the family connections, and cronyism- the political and ethno-political party connections), which constitute a large portion of the entire social capital of the post-war Bosnia due to the fact that personal connections proved to be a much more effective mechanism to achieve one's rights, privileges and benefits than the official mechanisms, certainly due the absence of the rule of law and extremely poor promotion of ethical values in the schooling system and media. Subsequently, personal connections have long turned into the most "popular" and most trusted form of creating social networks. The chronic level the (abs)use of favouritism-oriented personal connections, often evolving into cronyism, nepotism, and the like, all popularly referred to in BiH as - 'štela', inevitably contribute to the high level of corruption, the chronic problem of post-conflict transitional countries.

*Corruption and ethnic nationalism* are certainly well known to all other countries of former Yugoslavia, with the degree of nationalism and corruption varying in context. However, in Bosnia and Herzegovina they seem to present a much greater obstacle to country's prosperity and development than in the neighboring ones, most likely due to the institutional architecture of Bosnia and Herzegovina created under the Dayton Peace Agreement (hereinafter DPA).

Simply speaking, the DPA-made state setup of Bosnia is usually blamed for creating a country with a constitution that prioritizes ethnic identities over that of citizens, a complex state administration apparatus with unclear areas of jurisdictions among them (two entities, dozens of cantons and even more city councils and municipalities), very few state-level (joint) institutions (Ministry of Foreign Affairs, Trade, Taxation and army), etc. It is for this reason that the Euro-Atlantic politicians and diplomats themselves call for certain amendments to the DPA-made constitution in order to remove some of the obstacles to Bosnia's prosperity.

The Dayton-made state set-up of Bosnia and Herzegovina makes ordinary decent citizens not only hostage to ethnically-oriented politics but also victim to all kinds of corruption that stem from it, often hidden behind the alleged protection of (vital) ethnic interests or patriotism. More specifically, corruption is being very successfully hidden behind the rhetoric pertaining to vital ethnic interests or patriotism of some politicians that shift people's attention from corruption in this way. It really does not take much of an effort to identify the cases of personal connections, nepotism, cronyism, favouritism and corruption in general in state institutions. It is sufficient to check the profiles of ministers and employees in some of the most essential state ministries to see that some of the employees come from the same place of origin as the minister, for example, and they may not even be entirely qualified for the post they have.

According to the latest research of *Transparency International Bosnia and Herzegovina* presented in September 2009, entitled *Promoting anti-corruption reforms*, a great majority of citizens emphasize the problem of corruption in employment procedures, and the alarming fact that more than half of those questioned (57%) personally know the people, whom they are certain of being employed through connections or nepotism in some municipal, cantonal, entity or state institutions, organizations or public companies.<sup>20</sup>

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<sup>20</sup> <http://www.ti-bih.org/Articles.aspx?ArticleID=0BB1D804-0570-4648-A3BD-506D457FDC75>

The only three legal mechanisms at the disposal of citizens to report cases of personal connections, nepotism, favouritism, cronyism, bribery and corruption in general are the *Law on Conflict of Interest*<sup>21</sup>, *Law on freedom of access to information*<sup>22</sup> and toll –free numbers to report the cases of corruption such as that of *Transparency International BiH* (hereinafter *TI BiH*)<sup>23</sup> or at the Police. The majority of citizens included in the *2009 TI BiH survey*<sup>24</sup> think that the *Law on conflict of interests* is inefficient, while only half of them heard of the *Law on freedom of access to information*, of which the overwhelming majority had never referred to and never asked for information from the authorities. As for the toll-free numbers available to citizens for reporting the corruption cases, it is to be expected that with such perception, very few citizens would dare reporting corruption over the phone.

According to the study of *TI BiH* conducted in 2007<sup>25</sup>, the second quarterly survey on citizens' perception of corruption says that 45% of BiH citizens do not believe at all that the authorities in BiH want to sincerely, fairly and decisively cope with the fight against corruption in BiH. Assessing the efficiency of individual institutions in BiH in fighting against bribery and corruption during the past years, respondents were of the opinion that the media are most efficient and the Parliament and the executive authority the least efficient institutions in fighting corruption. In the view of citizens, the level of corruption in the executive authority of the state and entities is quite high, the Government of the Federation BiH was assessed with 3.93, the RS Government 3.91, the Council of Ministers of BiH, 3.89, and the Government of Brake District 3.83 - estimating on a scale from 1 (very low level of corruption) to 5 (very high).

Based on several surveys conducted, social injustices in the country, specifically unequal access to opportunities, public services and even some basic rights like physical and social security, education, employment and development are perceived as a humiliation to ordinary decent citizens that lack the necessary personal connections, the most widely used mechanism to effectuate rights, privileges and benefits.

Along with other countries of the Balkan region, the post-war Bosnia and Herzegovina may in fact be taken as a book example of that underrated and ignored but obviously most dominant form of social injustice - the so called '*exclusive social capital*'. Exclusive social capital is created in closed networks, '*where admission into the network either requires some costly activities by the outsider or is exclusively based on a non-acquirable social attribute such as race, family membership, caste and so on, which makes the admission of new members difficult or even impossible.*'<sup>26</sup> This form of social capital is opposite of the so called

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<sup>21</sup> <http://www.tuzilastvobih.gov.ba/?opcija=sadrzaj&kat=4&id=41&jezik=e>

<sup>22</sup> <http://www.mpr.gov.ba/en/str.asp?id=253>

<sup>23</sup> <http://www.ti-bih.org/default.aspx>

<sup>24</sup> <http://www.ti-bih.org/Articles.aspx?ArticleID=0BB1D804-0570-4648-A3BD-506D457FDC75>

<sup>25</sup> [http://www.ti-bih.org/documents/13-04-2010/Monitoring\\_of\\_implementation.pdf](http://www.ti-bih.org/documents/13-04-2010/Monitoring_of_implementation.pdf), pp.11-12.

<sup>26</sup> Allen, K. 2000. 'Social Capital within the Urban Small-firm sector in Developing Countries: A Form of Modern Organization or a Reason for Economic Backwardness.' Presented at Constituting the Commons: Crafting Sustainable Commons in the New Millennium, the Eighth Conference of the International Association for the Study of Common Property. Bloomington, IN. Viewed 30 July 2009. <<http://dlc.dlib.indiana.edu>

'*inclusive social capital*', created in open social networks that encourage new membership without restriction. The resulting diversity should be considered in terms of gender, race and ethnicity, class, age etc.<sup>27</sup>

The most popular forms of social networks in post-war Bosnia are those based on the so called '*personal connections*' with its widest possible span of doing favours to persons one knows, ranging from mere referring of a '*friend*' to a doctor, employer etc., all the way up to providing a high post to a person within a ministry based on being friends with a minister, whether because one comes from the same place of origin as the minister or some other form of personal connection.

In addition, the excessive use of personal connection in effectuating personal, interests, gains and profits usually evolves into cronyism, favouritism and nepotism, all of which have been clearly identified in all corruption and social analyses in post-war Bosnia and Herzegovina as some of the most severe obstacles to country's development and prosperity.

The exclusive social capital that predominates in Bosnia and Herzegovina (personal connections, cronyism, favouritism and nepotism) is popularly referred to in Bosnia as '*štela*'.

„*Štela*”, or the personal connections/cronyism/nepotism and favouritism, may be defined as a closed, elitist or exclusive form of informal social networks and ties, which I will hereby cover under their common denominator- '*clanism*'<sup>28</sup> that produce inequalities.<sup>29</sup>

Often deriving from immediate social ties, the use of '*štela*' is widely spread throughout all layers of society and is present in most relationships between people and service providers in BiH. The grey areas between 'networking' and nepotism/clientelism are apparent in many countries, and the line where favours stop and corruption starts is not always easy to identify. What is significant in BiH is the scope of the phenomenon, where it appears to pervade so entirely so many situations. As such, it is the degree to which '*štela*' acts as disincentive, reduces the quality of services, blocks access to services and encourages corruption that is of such concern. '*Štela*' not only produces inequalities but also significantly disempowers individuals”.<sup>30</sup>

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/archive/00001006/> in UNDP.2009. *The Ties that Bind – Social capital in Bosnia and Herzegovina*, <http://www.undp.ba/index.aspx?PID=36&RID=90>, p. 6.

<sup>27</sup> UNDP.2009. *The Ties that Bind – Social capital in Bosnia and Herzegovina*, <http://www.undp.ba/index.aspx?PID=36&RID=90>, p.6.

<sup>28</sup> 'clanism' is a term I crafted in order to describe favoritisms (personal favors, cronyism, nepotism), effectuated based on ones affiliation/membership in a group („clan“), reflecting the assumption that the clan members act towards each other in a particularly close and mutually supportive way approximating the solidarity among kinsmen, the mutual support being present even if one of the members commits a wrongdoing.

<sup>29</sup> UNDP.2009. *The Ties that Bind – Social capital in Bosnia and Herzegovina*, <http://www.undp.ba/index.aspx?PID=36&RID=90>, p.12.

<sup>30</sup> UNDP.2009. *The Ties that Bind – Social capital in Bosnia and Herzegovina*, <http://www.undp.ba/index.aspx?PID=36&RID=90>, p.12.

In fact the prevalent form of exclusive social capital in post-war Bosnia (the one based on personal connections) may be seen as both an advantage and disadvantage. While on one hand being excluded from social networks based on unethical principals (personal connections, nepotism, cronyism, and favouritism) is in effect an advantage to all decent and ethically oriented citizens, on the other hand the prevalence of unethical social networks undermines the power and influence of those limited ethically oriented social networks.

In consequence, any person that does not wish to be a member of the most ‘popular, kind of social networks, those based on personal connections, cronyism, favouritism and nepotism, he/she automatically becomes a ‘*network poor*’ person, socially excluded one and certainly a person whose integrity is humiliated by social capital made mostly of unethical social networks.

To be ‘*network poor*’ is to be unable to draw on one’s social ties and networks when in need of help and assistance. Network poverty can be understood as ‘both the absence and weakness of social networks’ and ‘the difficulty of accessing opportunities or resources through these networks.’ Network poverty can be a risk factor for poverty, unemployment and ill-health. It should be considered one determinant of poverty and social exclusion.<sup>31</sup>

Social exclusion is multidimensional or socioeconomic, and encompasses collective as well as individual resources, dynamic or processual, along a trajectory between full integration and multiple exclusions, relational, in that exclusion entails social distance or isolation, rejection, humiliation, lack of social support networks, and denial of participation, active, in that there is a clear agency doing the excluding, and relative to context.<sup>32</sup>

On the other hand, social exclusion is automatically fostered and maintained owing to the prevalence of social networks based on unethical principals, such as the excessive use of personal connections as the generally most trusted mechanism to achieve interests, gains, profits and even some of the basic rights, such as the right to equal treatment within the public services sector.

A recent survey conducted as a part of special training program for young journalists reporting about marginalized categories of population victims of social injustices in Bosnia and Herzegovina, entitled ‘*Against the Margins*’, pertaining to the effects of personal connections within the public health institutions on citizens produced the following results:

Asked “*How do you feel about the unequal treatment created by personal connections in the public health institutions?*”, 86 of 100 persons interviewed expressed their bitter dissatisfaction with the way they were treated, saying they were pushed aside, or ignored or left to wait for hours or even encouraged by medical staff to look for personal connections or “award” medical staff before being acknowledged and provided by some sort of treatment

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<sup>31</sup>UNDP.2009. *The Ties that Bind – Social capital in Bosnia and Herzegovina*, <http://www.undp.ba/index.aspx?PID=36&RID=90>, p.9.

<sup>32</sup> Silver and S.M. Miller, 2003, p. 1

which they are legally entitled to for free anyway. Thirty one of them even mentioned the word ‘humiliated’, ‘humiliation’, ‘degraded’ in order to describe how they feel as persons marginalized and humiliated by the corrupt public health institutions and public administration in general. They also indicate they perceive this form of corruption (personal connections, favouritism, nepotism and cronyism) as a prevalent practice of social capital in the society of Bosnia and Herzegovina.<sup>33</sup>

Therefore, the key problem pertaining to social (in)justice in post-war Bosnia is not corruption as such, but the prevalence of personal connections as a most trusted mechanism to achieve ones benefits, interests and even some of basic rights, which inevitably lead to corruption.

***In conclusion –Human dignity as social capital – a vague ideal or the ignored solution to social injustices?***

Some argue that modern humans enjoy much more freedom, equality and equity than ever before in human history.<sup>34</sup> However, one cannot help but wonder what significance is in this statement (even if it were true) for freedom, equality and equity (Human Rights) at practical level today. What comfort is the fact that modern Human Rights record is generally much better today than ever before to tens of thousands of ordinary average people living under wars, oppressive regimes, or extreme poverty? One might certainly put in this context the recovered transitional post-conflict countries like Bosnia and Herzegovina where thousands of war victims are still deprived of the right to justice (prosecution of war crime perpetrators that still walk freely and reside in Bosnia and Herzegovina, some of them even holding public offices), or thousands of those deprived of the right to equal access to timely and efficient public services (i.e. right to free and equal public health services, public utilities, education and the like), which unfortunately still depend to a significant degree on ‘*personal connections*’.

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<sup>33</sup> „Hipokrat na godišnjem odmoru“ (*Hippocrates is on vacation!*), an article by Ardian Adžanela, Mediacentar Sarajevo, 12 May 2010 (<http://www.media.ba/mcsonline/bs/tekst/hipokrat-na-godisnjem-odmoru>), Radio Sarajevo, 2 June 2010 (<http://blog.radiosarajevo.ba/4/0206201052>) and ACIPS, 31 may 2010 ([http://www.acips.ba/bos/index.php?option=com\\_content&view=article&id=434:autor-ardian-adanela&catid=2:kolumna&Itemid=3](http://www.acips.ba/bos/index.php?option=com_content&view=article&id=434:autor-ardian-adanela&catid=2:kolumna&Itemid=3))

<sup>34</sup> Anđelić, 2008, p. 212: “*Veliki je broj područja u kojima se neminovno nameće želja za napretkom u ovoj oblasti ali samo podsjećanje na stanje ljudskog društva prije desetak godina govori o ogromnom napretku i pomisli o istinskoj pobjedi ljudskih prava. Možda bi bilo cinično primijetiti da pobjeda zapravo još uvijek nije ostvarena, već su samo značajni koraci učinjeni prema cilju opće društvene pravde i potpunoj jednakosti svih ljudi svijeta. Ovaj cilj ipak nije ostvariv zbog same naravi čovjeka, ali to bi bio cilj jedne sasvim druge obimne studije. Zbog te naravi je čovječanstvu i trebalo nekoliko tisuća godina da dospije do trenutnog stanja ljudskih prava koje u svakom slučaju je veliko ostvarenje ali istovremeno idostignuće koje optužuje ljude zbog velikog broja područja u kojima prava i slobode nisu dostignute.*” (There is wide range of fields in which a drive for advancement in this area (human rights) but the retrospective of the state of society ten years back shows a significant advancement and the idea of the triumph of Human Rights. It might be cynical to observe that this triumph has not been achieved as yet. Instead, so far limited but significant advancement was achieved towards overall social justice and absolute equality of all people in the world. This goal is not viable due to the very nature of humans themselves, but this is a subject of a different kind of comprehensive study. It is precisely this nature of humans that took several thousands of years to reach the current stage of Human Rights, which in any case is an enormous achievement, although at the same time the one critical of the lack of rights and freedoms in many areas. Translated by Ardian Adžanela)

While on one hand it would most likely reveal that the popularity of Human Rights has never been as high as today, witness the number of Human Rights movements, organizations and their activities, the historical retrospective of Human Rights may not be appealing to those concerned with Human Rights at a practical level, applied Human Rights, be them the victims of various Human Rights violations or the Human Rights advocates, especially in transitional post-conflict countries like Bosnia and Herzegovina, where moral virtues in general still do not make up popular foundation for social networks/social capital as much as other interests, such as religion, ethnicity, opportunism and the like do. In fact, this may be said for social networks/social capital in general across the world, although perhaps more so in transitional societies that seem more vulnerable to opportunism as a value system compared with developed societies, as demonstrated in this essay.

Linda Hartling<sup>35</sup>, the Director of Human Dignity and Humiliation Studies network<sup>36</sup> logically concludes: *“If we are going to help heal humiliation, it seems clear that we must tell the truth about the operations of power by examining the legitimizing myths behind the stories that perpetuate dominant-subordinate relationships. These efforts will open the way for us to co-create new stories, new systems of thought and practice that will uphold the dignity of all people in a global community.”*

In this respect, it might be useful to recall a commonsensical observation of Benis<sup>37</sup> that the field of human relations has still not been tackled sufficiently and this field is significantly lagging behind any other fields subject to the enquiry of social sciences and humanities. In fact, one may easily observe that human relations have not been addressed systematically and sufficiently in non-academic fields either, with the exception of the field of organizational development and business management, a tiny fraction of a society whose ethical concerns with human relations came into being only after poor human relations in companies resulted in poor working motivation of their employees, their inevitably poor performance and finally poor profit of the pertinent companies.

The question of how to implant the respect of human dignity as the foundation of social networks, how to make the respect of human dignity a concern (if not the main concern) of a group of people socializing after school or work at a pub, at a bowling club, at home or anywhere else is a topic on its own that requires a much more comprehensive and dedicated study than this short essay. In short, making human dignity a social capital is an area insufficiently explored and certainly worth the effort. Finally, the price that the humankind has been paying throughout history (constant wars, various non-democratic regimes, profit-oriented value system imposed by powerful corporations, corrupt governments, etc.) might lead more and more people, intellectuals and non-intellectuals alike to ascribe the price we are all paying to the dominant model of human interactions – the one based on superior-subordinate ranking, and start more seriously exploring the ways of replacing that system with the one based on genuine fair share of humility and dignity.

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35 Hartling, 2005, p.

36 <http://www.humiliationstudies.org/>

37 Bojanović, 2009, pp.7-15.

In the end, humankind might not have exhausted even a tiny fraction of potentials to move closer to more equality and healthier human relations, and this goes especially for post-conflict countries in transition, where the main mechanism that ensure fairness/justice (equality) in human relations and relationships – the rule law and education (and economic development) are not effective enough in providing that level of fairness/justice (equality) sufficient for the minimum well-being of the members of their societies.

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