Whose Stories Do They Tell?

- An analysis of the creation of the concept of victim in the reports
  by Human Rights Watch and Kvinna till Kvinna Foundation

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Abstract
Transitional justice emerged as an integral part of state- and peacebuilding processes during the same period as the war in Bosnia and Herzegovina. This created a market for human rights promotion in which non-governmental organizations were perceived as experts. Although transitional justice is a well-researched area, few studies have analyzed the production of knowledge by non-governmental organizations in this field. The aim of this study is to bridge this research gap by analyzing how two non-governmental organizations – Human Rights Watch and Kvinna till Kvinna Foundation – create and use the concept of victim in their reports. The reports were analyzed in two steps, based on qualitative content analysis. The first step was to code the material based on theoretical assumptions and the content. The second step was to create a narrative which was the base for the theoretical analysis of the material. The analysis centers around three key concepts: cosmopolitanism, representation and the subaltern. This theoretical framework is created based on the two scholars Gayatri Chakravorty Spivak and Ulrich Beck. The analysis shows that both organizations are creating a space in their reports, a cosmopolitan reality, in which they are legitimizing their own work. The creation of different subjects, such as victim, is also done in relation to this space. In other words, the organizations create the concept of victim to suit their own world-view and rationale.
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1. Introduction
On April 22, 2017, a representative from the organization Kvinna till Kvinna Foundation was participating in the Swedish radio program “Konflikt”.

She was invited to talk about the topic of how to work with victims of sexual violence in Bosnia and Herzegovina (BiH). Two things were, according to her, of main importance in this post-war reconstruction. First, the international community should listen to female activists who work with victims of sexual violence as they possess the knowledge needed for finding the right solution to this problem. Second, these activists and their organizations are in need of more funding. This interview is an illustration of how a non-governmental organization (NGO) might promote its own agenda and world-view. It could also be viewed as a point of departure for this thesis, which will investigate the knowledge production by NGOs in the field of transitional justice (TJ) in BiH. During the same period as the war in BiH, the idea of TJ as the proper response to post-conflict reconstruction emerged within the international community. TJ has now become an integral part of state- and peacebuilding discourse over the past two decades – a manifestation of global liberalism or cosmopolitanism.

This has resulted in a situation in which TJ is ever-present, including the vocabulary and framing of issues. This position of TJ might result in a framing of justice issues using the vocabulary of human rights. BiH is chosen as the case study because of how the institutionalization and normalization of TJ has become an essential part of society; not only as a result the political structure created after the Dayton Peace Agreement, but also as a result of the (re-)creation of civil society. TJ is no longer only a mechanism for the period of transition, but of the ordinary political climate. I will address the issue that was raised in the Swedish radio program from a different angle by investigating how the concept of victim is created in the reports by NGOs. The aim of NGOs is often to lift the voices of victims and to represent them, but from the brief description of the interview, we got the impression that the voices of victims were not being heard. I will investigate this exercise of power that NGOs are engaging in when they claim to represent victims: whose stories are being told?

1 “Krigsvåldtäkterna och tystnaden.”
1.1 Research Problem and Aim
Despite the fact that NGOs constitute an important part of civil society, especially in BiH, they are often disregarded as a research object in the field of knowledge production. However, the integration of TJ and human rights has created a new “market of competition”; both in the production of knowledge and meaning, as well as in the existence of the NGO as such. As NGOs are the direct agents of TJ projects, this should call for a critical analysis of their knowledge claims and framing of issues. In this thesis, I will analyze the struggle to define “victim”. I believe this to be of great importance as NGOs claim to speak on behalf of victimized and vulnerable groups. One can assume that TJ NGOs would speak about victim as “recognition of the needs and rights of the victims” could be understood as the “key rationale” of TJ as such.\(^5\) But as victim is a social and political construction, other meanings of the concept are possible to imagine.\(^6\) This, of course, raises the question of how other positions within the field are competing over the interpretation of the concept victim. The aim is, therefore, to analyze this competition over meaning in order to shed light on how the language in NGO reports create identities and our understanding of the post-conflict context.

1.2 Research Question
As NGOs are claiming to “speak on behalf” of the victims, a critical analysis of the production of knowledge is necessary. Based on the research problem, the following three questions were created:
How is the concept of victim defined and constructed in the reports?
What is the role of the concept of victim in reports published by NGOs?
How is the use of the concept of victim related to the NGOs understanding of the post-conflict context and their role in it?

\(^6\) I do not claim that victims do not exist. I certainly recognize that there are victims of violence and other human rights violations, but what I argue is that victim can also be seen as a discursively constructed concept. It is in this sense “victim” will be used throughout this thesis. The question, then, is which subject positions that are included and excluded in the concept.
1.3 Disposition

In this section I will provide an overview of the structure of the thesis. The aim of the thesis is to analyze how the concept of victim is defined and constructed in the reports by two NGOs: Human Rights Watch (HRW) and Kvinna till Kvinna Foundation (KtK). The next section is a discussion about the strength and weaknesses with this type of material. Here, I am arguing that reports are the main source for analyzing knowledge production by NGOs. Since the “biases” are part of the analysis, these are already taken into consideration.

A research gap in the previous research about TJ and NGOs are identified in the section about the previous research. Research has been done on the role of NGOs in the field of TJ, especially in relation to their role in civil society. A couple of studies are addressing the issue of representation of victims, but these studies, however, do not address the issue of how the concept of victim is produced and the power connected to this production. The aim with this thesis is thus to bridge this gap by analyzing this construction by NGOs in the field of TJ.

To do this I juxtapose two different theories. The first is Ulrich Beck’s theory about cosmopolitanism and the second is Gayatri Chakravorty Spivak’s theory about the subaltern. By doing so, I am able to analyze both the space that the NGOs create in their reports, as well as the creation of the concept of victim.

The method used in this thesis is qualitative content analysis, which has the advantage of being able to analyze both explicit and implicit meanings. Qualitative content analysis is also a useful method for coding the material based on different categories and themes. Two main categories were found in the material: the concept of victim and causes of victimization. One theme was also found in the material: transition.

The two categories and the theme were then used for creating a narrative. This narrative is presented in the section of empirical findings. This section begins with a contextual background to TJ and NGOs in BiH. The concept of victim is divided into three parts. The first is a description about how the two NGOs are constructing the concept of victim in relation to human rights. The second is in relation to gender, and the third in relation to ethnicity. The second main category can, with a few exceptions, only be found in the reports by KtK. Both nationalism and the patriarchy are identified as causes of victimization, which shapes the NGOs view on both the war and the post-war context. These ideas are developed in the narrative about transition. Here, three
different definitions of transition could be found in the material: transition from war to peace; transition from socialism to liberal democracy; and transition from patriarchal structures to gender equality.

The empirical analysis is conducted based on this narrative. This section is divided into two parts: the creation of space and the creation of the Other. The first part is an analysis of how the NGOs are creating their own cosmopolitan reality, and how this creation is either liberating or dominating different groups. The creation of space is also connected to a set of values, such as human rights, democracy and development, and has an impact on the creation of the Other, which is the second part of the analysis. In this part, I analyze how HRW and KtK are representing the victims in their reports, and how they are creating the very concept through this action.

The thesis ends with a concluding section. Here, I state that the NGOs are creating the concept of victim based on their own position. This means that KtK create the category as a woman with specific characteristics linked to the concept. HRW, on the other hand, create the concept of victim based on a legal understanding of human rights. This creates the illusion that the NGOs are “speaking on behalf” of the victims, but what they actually are doing is promoting their own world-view.

1.4 Sources and Limitations
The primary sources in this thesis are reports produced by the two NGOs HRW and KtK. TJ NGOs were deliberately excluded because they are assumed to be focusing on victimhood as it is an integral part of their rationale. In other words, it would be a tautology to analyze the creation of the concept “victim” in relation to a TJ NGO. Instead, the struggle over meaning seem to be fought elsewhere. In addition, the expansion and normalization of TJ constitutes another motive for choosing other types of NGOs. As many TJ responses have become normalized through the mechanisms of human rights – both legal conventions and language – this calls for an analysis of human rights NGOs. The human rights NGO which is analyzed in this thesis is HRW. HRW is an international NGO, who mainly works with advocacy and research/fact-finding. HRW was established in 1978, and is now reporting on human rights violations in over 90 countries. The NGO has a legalistic approach, which means that its idea of justice and accountability is grounded in the ideal within international human rights practice.

7 Human Rights Watch, “About.”
KtK has a slightly different approach than HRW, as the NGO has a gender perspective on human rights. KtK was established in 1993 as a response to the reports on rape and other forms of violations against women’s rights during the war in the Balkans in the 1990s. KtK is focusing on supporting local women NGOs, and is now active in other regions affected by armed conflicts than the Balkans. Although other international NGOs are working with women’s rights in BiH, few has the clear focus on post-conflict reconstruction as KtK, which is an interesting organization as it has close local proximity because of the cooperation with local women’s organizations. Both NGOs are international, which is relevant for two reasons. First, the internationalization of post-war reconstruction and the normalization of TJ puts international NGOs in the center of this process. Second, I discovered (after thorough research) that local NGOs in BiH produce few, if any, reports. This, of course, means that there is a distance between the NGO and the group(s) which they are speaking on behalf of. I believe this to be important to keep in mind in the analysis, but is not an analytical problem as they are both doing field studies in the region.

In a period between year 2000 and 2016, HRW produced eleven reports about BiH and KtK produced ten reports. The time frame is chosen based on the idea that around 2000, a shift in TJ took place. Ruti G. Teitel calls this the “phase III”, and argues that it is characterized by this normalization which has already been discussed. This shift is of analytical interest since the aim is to analyze the struggle over meaning, which is understood to be a consequence of this normalization and how TJ is framed in human rights vocabulary. To analyze sources which are produced upon until today is generating the possibility to highlight changes in meanings and the struggle as such. It should be noted, however, that HRW published their latest report on BiH in 2012. But since this is fairly recent, it should not be viewed as a major obstacle. Instead, there is an even spread of publications over time between the two NGOs.

A report is in this thesis defined as a written document containing information about a certain event or an issue. In this case, the topic should be related to post-conflict reconstruction in BiH. The information in the report should also be presented as a narrative, which is created by using information gathered in the country of concern.

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8 Kvinna till Kvinna Foundation, “Om Kvinna till Kvinna.”
NGO reports could, therefore, be understood as a specific genre.\(^{10}\) It should also be information easy to access for the reader, which means that it should not be too long. None of the reports analyzed in this thesis is longer than one hundred pages, and most of them are around half the length. Reports are the single most important way for NGOs to spread more substantial information and knowledge about issues in their field. This is the major reason for choosing reports as the primary source. It should be noted, however, that the reports are written by different authors which raises the question if the findings in the reports are the views of the NGO or just a single individual. Since the reports are published in the name of the organization, it seems fair to argue that the organization has approved of the ideas presented in the report, and thus it should be understood as the view of the NGO.

By choosing documentary sources – in the form of written text – the focus on words or concepts becomes almost self-explanatory.\(^{11}\) NGO reports are often produced in temporal proximity to the event, and in the case of both HRW and KtK it could also be argued that there is a relative proximity in space as both NGOs are conducting different type of field work. It could be argued, however, that NGOs have a distance to an event since they are only collecting witness stories and evidence. Since the aim of this thesis is to analyze how NGOs are conceptualizing victims in their reports, this should not be considered an obstacle. This means that the reliability of the material is not a methodological question in the traditional sense, because the production of the knowledge is part of the analysis. As a matter of fact, to treat the source as a result of human activity – conditioned by social, historical and economic constrains – are both a methodological and theoretical issue in this case.\(^{12}\) The “hidden agenda” is under investigation, and I am not interested in the “truth” but the ideals and agendas in themselves.

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\(^{10}\) Wilson, “Representing Human Rights Violations: Social Contexts and Subjectivities,” 150.

\(^{11}\) Finnegan, “Using Documents,” 139–41.

\(^{12}\) Ibid., 143–45.
2. Theory and Method
In this section, I will present the previous research on the topic of knowledge production by NGOs in the field of TJ. I will also present the theoretical framework as well as methodology and method, which will be used to analyze the empirical material.

2.1 Previous Research
TJ, the process of justice in transition from war to peace, has become an international norm promoted by different international actors such as the United Nations, North Atlantic Treaty Organization, European Union, international organizations and NGOs. This section will focus on previous research on the knowledge production in this field – with a special focus on NGOs. TJ is a large field, and research has been done on various topics within this field. The focus of this chapter will be on the NGOs and knowledge production within the field of TJ. Before exploring this topic in more detail, I want to point out the (im)possible distinction between TJ and peacebuilding. It will be evident in this chapter that some researchers are focusing on the field of TJ and some on the field of peacebuilding despite analyzing the same phenomena. In a recent article, Catherine Baker and Jelena Obradovic-Wochnik argue that researchers of both fields often engage in the investigation of same ideas and practices. I will not use TJ and peacebuilding as two mutual concepts, but I want to emphasize the similarities between these two fields which will become even more evident in the following discussion. This intersection is to a large extent a consequence of how the terms “justice” and “peace” are understood. The conception of justice has shifted from a merely legal understanding to also include a more holistic or social understanding of the concept. Theory on TJ could then offer a broader and richer conception of justice in which it becomes as a necessary condition for stable peace.

It is in this intersection of TJ and peacebuilding that many NGOs can be placed, which could be said to be related to the idea of development. Nicolas Guilhot argues

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14 For a more general overview of the field, see: Shaw, Waldorf, and Hazan, *Localizing Transitional Justice*; Teitel, *Transitional Justice*; Quinn, *Reconciliation(s)*.
16 Ibid., 286–87.
that peacebuilding, or TJ, has created a domain for human rights promotion which created a market of experts or “democracy makers”.\textsuperscript{18} He claims that the boundaries between politics and morality as well as national and international are blurred in the new international order. This leads to new forms of international activism or “moral entrepreneurship”, often embodied by NGOs, who are using democracy and human rights to utilize their global power. Guilhot is not, however, discussing the context of TJ or peacebuilding and its consequences in detail. Instead, he uses it as a point of departure for a more general discussion about the promotion of human rights and democracy, which makes the theoretical discussion unresponsive to contextual variations.

The understanding of justice is also linked to the role of the NGO staff. Jelena Subotić argues that NGOS have become more professionalized as a result of the demands for justice and how these demands were related to the larger field of TJ.\textsuperscript{19} These demands came from below, but the situation in which they were raised forced the organizations to become more integrated into the civil society, thus forcing them to become more professionalized. This is a consequence of the internationalization of the Bosnian civil society.\textsuperscript{20} For the groups to be heard, they had to appear as professionals. Their “activism” is then only a way of masking their exercise of power, which raises the question of how the NGOs are engaging with the groups they claim to represent. This issue is not addressed by Subotić as she is focusing on the politicization of justice demands. Others have also engaged in the discussion of the politicization of TJ processes, and some with a focus on victims.\textsuperscript{21} However, these studies are few and are often only focusing on female victims.

A similar discussion can be found in Elissa Helms’ study of women’s NGOs in BiH. Helms argues that the increase of women’s NGOs in BiH after the war – who often worked with issues related TJ and peacebuilding – fitted well into the narrative

\textsuperscript{18} Guilhot, \textit{The Democracy Makers}, 10–14. \\
\textsuperscript{19} Subotić, \textit{Hijacked Justice}, 153. \\
\textsuperscript{20} Ibid., 126. \\
of the women-in-development paradigm. 22 One of the strengths with this study (especially in relation to the topic of this thesis) is how it pinpoints the influence of the international community on the agenda-setting in a specific context. 23 Analyses of the international influence on the Bosnian civil society can be found in several other studies as well, which are not only focusing on women’s NGOS. 24 Bojan Bilić raises the strongest critique of this influence and argues that civil society is no longer a relevant concept because it cannot grasp the whole structure of different forms of social interactions that take place in this context and is used for “masking power networks”. 25 Like Helms, Bilić argues that the international community can set the agenda since they have the power to choose which projects to fund. Because of this situation, BiH has turned into a “project society” in which the country is perceived by the international community as a Western project. 26 From this discussion it is evident that the material reality shapes what type of knowledge is being produced, but research on what this knowledge actually is remains missing. The focus of these studies presented above is, however, not on the knowledge production but on these NGOs’ working conditions in this discourse. By so doing, they address issues such as self-representation, values and networks, but the issue of knowledge production is not explicitly discussed.

Closely related to the production of knowledge is the use of language. The internationalization of post-war reconstruction and TJ did not only have an impact on the material reality but on the language as well. 27 The use of language is highly influenced by international norms, and many organizations have adopted a “project language”. To have control over concepts – to know the right words – is crucial for having any sort of influence in this society. Although Steven Sampson is addressing the issue of language in his study about the Bosnian civil society, he does not connect the use of language to the production of knowledge. This is, however, done in an article

23 Ibid., 108.
27 Ibid., 33–37.
by Julia Bake and Michaela Zöhrer, in which they claim that the use of language is closely connected to the production of knowledge. They analyze how NGOs represent victims in their reports which is a similar topic to this thesis, but they focus on how the language of objectivity generates authenticity. They argue that NGO staff are portrayed as “objective and neutral observers” whilst victims are embodying the suffering – a subjective perspective. Bake and Zöhrer, in comparison to other studies presented above, are focusing on the methodology of the NGO. The risk of this focus is that it might miss other dimensions of the production of knowledge, such as the ideological. I do not want to downplay the importance of analyzing the performative aspect of truth claims and representation, but I want to stress the importance to add other aspects to the analysis, an aim I will try to achieve in this thesis. It should also be noted that Bake and Zöhrer do not discuss these issues in relation to TJ or peacebuilding, but rather in a context of global human rights reporting.

Another example of an analysis of knowledge production is Ole Jacob Sending’s analysis of global governance based on two case studies: (1) the UN Secretariat’s authority to govern beyond the UN charter, and (2) transnational field of population. Although Sending is not discussing knowledge production in relation to TJ or peacebuilding, I still want to emphasize some important arguments that he makes. First, Sending argues that we should understand the production of knowledge as a process of struggle, and knowledge should therefore not be treated as a politically neutral concept. Second, the struggle takes place in a field in which actors have specific positions connected to specific material and symbolic resources. I use Sending’s ideas as a point of departure in this thesis and as a way to shed light on a research gap in the literature on the knowledge production by NGOs in the field of TJ.

An analysis of the knowledge production by NGOs must take the power of NGOs into consideration. This power is more of decisional than political character, or what could be labeled discursive power, and is strongly connected to the framing of

29 Ibid., 11.
31 Ibid., 4–6.
32 Ibid., 21–23.
normative issues. NGOs gain legitimacy by being specialists because of their proximity to the problem area. They have the local knowledge, or what Sending calls ethnographic sagacity. The question then is how the relation between NGOs and the domestic population should be conceptualized. The risk is that NGOs, through their professionalization and influence, develop into a global elite. Missing is an analysis of knowledge production that considers both the international, transnational, and national level, and an analysis of the knowledge production of NGOs can have the advantage of being able to include this perspective. The analyses of NGOs are almost exclusively focusing on the organizations themselves, and not the groups that they are claiming to represent. In this thesis, the aim is to explore how NGOs produce knowledge about the groups they are representing. Many of the studies discussed above are analyzing how different actors produce knowledge, but not what knowledge they produce. This thesis aims to bridge the research gap on NGOs and their production of knowledge in the field of TJ by analyzing the what knowledge NGOs produce.

2.2 Theory
The theoretical framework in this thesis is built around three key concepts: cosmopolitanism, representation, and the subaltern. I base this theoretical framework on two scholars: Gayatri Chakravorty Spivak and Ulrich Beck. The reason behind this construction is the need to be able to cover the different levels in place in the analysis, as well as the creation of both space and subjects. By this, I mean that both the global, transnational and local level are present at the same time in the reports. I borrow this idea from Beck and his claim that a scholar must think in terms of both/and in relation to the national and the global, which he calls glocal. Glocal should not be understood as a hierarchical structure of actors. Instead, different actors can move between different positions and thus occupy several positions at the same time. This makes the notion of glocal similar to Ole Jacob Sending’s idea of the field discussed in the section on previous research. Cosmopolitanism does not erase the national and the local, but it

34 Ibid., 518–21.
37 Beck, Den kosmopolitiska blicken, 133–34.
redefines these categories. The actors in this thesis are active on a glocal level – they are both global and local actors. Beck calls this methodological cosmopolitanism, and I will use this as a theoretical point of departure. The three key concepts listed above are all relating to the global and the local in different ways. I will discuss Spivak and Beck together in order to point out their differences and similarities, as well as strengths and weaknesses.

Ulrich Beck argues that cosmopolitanism is no longer (only) a philosophical idea, but a reality.\(^38\) This is a result of a phenomenon first identified by the German philosopher Immanuel Kant in 1795: what I do in one specific place has consequences for people all around the world. This, according to Beck, is the cosmopolitan reality, a reality in which new identities and social categories are created. I am no longer only part of my own local community, but a democratization of responsibility has developed which makes us all concerned about the suffering of distant others.\(^39\) It is based on this assumption of responsibility that international NGOs and social movements act in South/East contexts, according to Spivak.\(^40\) She argues that a development paradigm exists, in which NGOs and Western intellectuals are perceiving themselves as having a “civilizing mission”.\(^41\) She argues that women’s rights and gender equality is used by imperial powers to create a “good” society. Imperialist powers should, in this context, not only be understood as countries in the West, but as foreign NGOs and organizations as well. This civilizing mission is then perceived as humane power with the goal of development, but is only a new way to legitimize dominance. This paradigm does not only include values such as human rights and gender equality, but also democracy and capitalism.

The civilizing mission in the development paradigm is a clear example of how the distinction between the international and national has been blurred. Another example of this is how the human rights regime has generated a perception that issues related to human rights are no longer only a concern for the single state but also for other actors.\(^42\) This creates a space for action by actors such as foreign NGOs whose

\(^{38}\) Ibid., 14.


\(^{40}\) Spivak, “Can the Subaltern Speak?,” 84–85.

\(^{41}\) Ibid., 94.

\(^{42}\) Beck, Den kosmopolitiska blicken, 81–82.
expert knowledge in human rights or TJ is a way to exercise power in the glocal context. Human rights are understood as means for liberation by these actors because they protect vulnerable individuals from violations by despotic states, but human rights can also be means for domination. Beck calls this the double-edged character of human rights, and argues that this regime creates a “geography of human rights” in which there is a division between states who respect human rights and states who do not – a geography of power. This is a division between North and South/West and East, and reestablishes the power of the West in the name of human rights and democracy. NGOs plays a crucial role here as the understanding of the violence as “human rights violations” comes into existence in how the violence is represented in the NGO reports. The creation of space is also a creation of the post-war context, often done through the language of human rights. Beck argues that this construction generates a power vacuum in which NGOs can become powerful agents, who can control how space and subjects are created.

Although Beck is acknowledging the colonial aspect of human rights, a type of colonialism that can be defended by how it is operationalized, he remains unwilling to address the economic dimension of this domination. Beck makes a clear distinction between cosmopolitanism – here understood as the discourse in which the human rights regime is situated – and globalism. Globalism is only understood in economic terms by Beck and is thus identical with the spread of market economy. One way to interpret this claim is to understand cosmopolitanism as political, whilst globalism is understood in economic terms. In other words, Beck is making a distinction between the political and economics. To make a distinction between cosmopolitanism and globalism is fallacious as the production of knowledge and the production of material goods cannot be separated from each other. Spivak argues that the Western view on the Other certainly has a material dimension as the Western intellectual production is in

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43 Ibid., 221–23.
46 Ibid., 81–82.
48 Spivak, “Can the Subaltern Speak?,” 84–85.
“collusion” with western economic interests. This would mean, in the context of this thesis, that a NGO’s production of knowledge is linked to a material reality in which funding is a crucial aspect in shaping its focus and interests. Knowledge produced by NGOs can work to legitimize the capitalist order in the global world, but the material reality also create the conditions for how knowledge is produced. Spivak, therefore, views universalism, development, and capitalism as more closely interrelated than Beck. Power – both political and economic – is part in the creation of subjects, and is thus crucial to include in the analysis to understand what type of knowledge is being produced. In other words, economy and knowledge must be understood as closely intertwined even if the analysis is merely focusing on the discursive dimension of knowledge production.

Cosmopolitanism as an analytical tool is used in this thesis to analyze the creation of space by the NGOs. The assumption is that a NGO would create a space which is constituted by a set of values legitimizing the NGO’s agenda. Depending on the focus of the NGO, this space would be created differently in reports by different organization. If the NGO is focusing on women’s rights, this space would emphasize gender inequalities and patriarchal structures. If the NGO is focusing on human rights, this space would be connected to the global aspect of the human rights regime, e.g. international law and the justice system. The creation of a space is production of knowledge, which is closely connected to the power of the NGO.

One of the main purposes of a NGO is to “lift voices” within this space, which is done by representing victims in reports. The aim to lift the voices of a marginalized group is problematic, according to Spivak, as it confounds two distinct forms of representation: (1) representation as “speaking for” and (2) representation as “re-presentation”. This means that the idea of re-presenting the views of the subaltern is confounded with the view of the NGO staff, which causes the NGO staff to make the false conclusion that they can speak on behalf of the victim. Representation in NGO reports could be viewed as merely the presence of stories by marginalized groups, but what Spivak is questioning is the relationship between those representing and those being represented. The distinction between the two forms of representation sheds light on this relationship. To speak on behalf of the victim is to deploy an idea of a

49 Ibid., 70.
50 Ibid., 71–74.
relationship between the representative and the represented which is identical to the relationship between a politician and the citizen. The first form of representation comprehends a responsibility to change the material reality for the ones being represented, but the second form is only a presence of these persons in a text. The second form is always reconstructions of a story filled with ideological content from the writer. In other words, this is a distinction between “speaking for” and “portraying”.

Spivak argues that the Western subjects who produce the knowledge – whether it is intellectuals or NGOs – is incapable of changing the material reality, which means that they can never represent anyone in political terms. The NGO can, in other words, never truly engage in the first form of representation. A NGO is only capable of portraying the suffering Other. The tendency to not make a distinction between speaking for and re-presentation can further be exemplified with the use of victims’ stories in NGO reports. The story of the victim is one of emotions, which creates the victim as a subject. Subjectivity is then linked to having a first-hand experience of violence and violations. Spivak criticizes both Western intellectuals and NGOs for seeking the knowledge of a “concrete experience” or “what really happens”. But as they are only representing the Other in terms of “re-presentation”, the experience can only be filtered and understood through themselves – the experience of the victim can only be a reconstructed image. Here, I want to emphasize the importance of ideology in this reconstruction as this is linked to the theoretical discussion about cosmopolitanism. Just as the NGOs are creating the space in the reports, they are also creating the subjects. But these subjects, like the space, is a production of ideology and hence power. To analyze how the concept of victim is constructed in the reports is then a way to also analyze the ideology of the specific NGO.

The search for a “concrete experience” can also be exemplified by how the writer is absent in NGO reports because s/he is instead “giving voice” to the victim. Because of how experiences are filtered and understood, the NGO staff are the ones defining the

51 Ibid., 74–75.
53 Spivak, “Can the Subaltern Speak?,” 69.
54 Bake and Zöhrer, “Telling the Stories of Others,” 11.
knowledge and not the victim herself. Beck argues that differences between the West and the Other must be erased if the voice of the Other should be heard: similarity between groups is a necessary condition for equality. Beck does not explicitly say that the subjective position of the West (which is not a homogenous group) is perceived as objective, but it seems to be an implicit claim in his argument. The privileged position of the West is so dominant that the West does not have to notice its own distinctiveness. In other words, western universalism is blind for its own position of power.

In addition to this claim, Spivak argues that the ideal of lifting the voices of the marginalized, is done in a way that desubjectifies the Western subject. The implications of this argument seem to be even stronger in relations to NGOs and their reports as these can be defined as a “desubjectified genre”. The NGO is then perceived as a transparent subject, whilst the subaltern is defined in essentialist terms – the groups attributes are seen as an inherent part of their constitution which are shaping their experience. The difficulty in engaging with the Other is how to confront these differences. These are often differences in ethnicity and culture, an issue which is present in BiH as well. We cannot deny the ethnicity and culture of the Other, but at the same time, as Beck also notes, this might generate an “as-if essentialism”. This type of essentialism stems from the effort to “save” the Other from oppression, but becomes blind for the fact that this mission is a type of oppression in itself. Spivak exemplifies this mission with the sentence: “White men saving brown women from brown men”. She argues that the position of human rights within the development paradigm is masking all other forms of oppression than the oppression by the “brown man”. This mission becomes almost like the white men’s burden; it is the white (wo)men’s responsibility to civilize and democratize the Others. As the “white man” is the liberator, he cannot also be the oppressor.

55 Spivak, “Can the Subaltern Speak?,” 75.
56 Beck, Den kosmopolitiska blicken, 88–89.
57 Spivak, “Can the Subaltern Speak?,” 72–73.
59 Beck, Den kosmopolitiska blicken, 17.
60 Spivak, “Can the Subaltern Speak?,” 93.
61 Spivak and Morris, Can the Subaltern Speak?, 51.
This leads us to the last concept in the theoretical framework: the subaltern. This concept is closely linked to the notion of the Other. A subaltern is a person (or a group) who is excluded from social mobility in the society, and who lacks any form of influence in the social and political sphere.\(^\text{62}\) The term is borrowed from Antonio Gramsci, who is only talking about the subaltern class.\(^\text{63}\) Spivak broadens the term to also include gender and colonial/imperial relations, and as the subalternization is caused by the attempt from the West to civilize and democratize the Other, it is suitable to use the concept in the context of post-conflict reconstruction. I do not claim, however, that all domestic groups and persons within this context are subalterns. Spivak identifies a dominant indigenous group on the regional level, who is created by the imperial power to keep their influence: “the antre”.\(^\text{64}\) In the context of post-war reconstruction, this elite could for example be local NGOs. As they have influence over the production of knowledge, they cannot be defined as subalterns. Instead, other marginalized groups would be the subjects of subalternization, but that is a question for the analysis.

The voice of the Subaltern is then excluded from the Western, intellectual discourse, and this exclusion of voices should be understood as epistemic violence.\(^\text{65}\) To speak for the subaltern is not to help a marginalized group, but to exercise power over them. By exercising this form of power the NGOs are creating the Other as a subject. This theoretical claim is of special importance for the analysis of how the concept of victim is created in the reports. Based on Spivak’s theory of the subaltern we can expect that a NGO is only reproducing its own view of the victim, and thus creating the victim as essentially different and in need of being saved. If the victims are not being heard, but their stories are only getting filtered through the NGO staff, then this would be an example of epistemic violence.

To summarize the theoretical discussion, I want to address how this theoretical framework is operationalized in the thesis. Cosmopolitanism is used to analyze the creation of space in the material. I deploy the understanding that there is an economic aspect of cosmopolitanism, which is linked to the political aspect. However, as this thesis is about knowledge production and not about the material reality, I will only use

\(^{62}\) Hjorth, “Gayatri Chakravorty Spivak,” 354.
\(^{63}\) Spivak, “Can the Subaltern Speak?,” 78.
\(^{64}\) Ibid., 79.
\(^{65}\) Ibid., 75.
this theoretical understanding as a background to the analysis. Representation and the subaltern will be used to analyze the creation of the Other in the material. Both the creation of space and the creation of the Other is linked to the theoretical understanding of how different values are present in this context. The link between a specific set of values (universal values) and the creation of the Other strengthens the theoretical claim that the NGOs are both creating a space (or a world) in which a specific set of subjects are created. These subjects can only be created based on this specific world-view. I use the term Other and not subaltern in the analysis because I do not want to presuppose the subalternization of victims in the reports. Whether subalternization takes place or not is a question to be answered in the analysis.

2.3 Method
The method used in this thesis is qualitative content analysis. The topic of this thesis is how NGOs produce knowledge in their reports, with a close focus on the written language as I am analyzing the struggle over the meaning ascribed to the concept of victim. Qualitative content analysis has a specific focus on meaning in texts, which makes it suitable as the selected method for this thesis. Content analysis, however, does not offer an extensive discussion or clear positioning in relation to epistemology. I want to make my position clear to the reader before describing content analysis in more detail, which is of special importance since the analysis in this thesis is focusing on knowledge production. It seems suitable to adopt a social constructivist approach as the epistemological base because texts do not simply contain meaning – they are given meaning by both the writer and reader. Social constructionism states that the social world is made up by individuals just as individuals are made up by the social world. This makes the reality, as well as knowledge, socially relative; the manifestation of the two concepts are depending on a specific social context. Because the reality is interpreted through language, the knowledge we produce is merely a result of our way to categorize the world. This means that all knowledge is a product of its historical and cultural context, and is, therefore, contingent – our understanding of the world is changing over time. Thus, knowledge and truth are created in a social context through

66 Drisko and Maschi, Content Analysis, 82.
67 Ibid., 67.
69 Ibid., 18–19.
social interaction, which makes this epistemological position critical of the idea of an objective truth.

To choose a social constructivist approach has certain implications for how the method is both conceptualized and operationalized.\textsuperscript{70} The positivistic language and understanding of “good science” is still (at least to some extent) present in qualitative content analysis, but this should not be a reason for rejecting qualitative content analysis as a suitable method in critical research. First, the understanding of the researcher as “objective” is not stressed in qualitative content analysis in the same way as in basic content analysis, a method for a quantitative analysis of manifest content.\textsuperscript{71} Instead, the importance of self-awareness and reflexivity of the researcher is emphasized in qualitative content analysis.\textsuperscript{72} These two strategies are a way to identify biases that can affect theoretical and methodological choices. This is, of course, of special importance in this thesis as the topic is about knowledge production, which requires an awareness of my own production of academic knowledge. Second, it is possible to adjust the criteria for “good science” to become more suitable for a constructivist approach.\textsuperscript{73} The terms credibility and trustworthiness is acknowledging the existence of multiple meanings and truths in comparison to the term validity. How experiences of an event are interpreted and given meaning is then understood to be affected by the subjective understanding of the individual. Truth is not understood as objective, but is understood in terms of probability which is determined by consistency and soundness in the arguments. Third, qualitative content analysis is a structured research approach, but that does not necessarily imply a positivist position because the transparency generated by the method is equally compatible with a constructivist approach.\textsuperscript{74} I would argue that the constructivist notion of truth generates a strong claim on how the research is conducted in order to be valid, and a structured research approach is therefore to prefer.

This is the epistemological base on which a more clearly defined method was constructed. Qualitative content analysis is a qualitative method in which the researcher

\textsuperscript{70} Drisko and Maschi, \textit{Content Analysis}, 92.
\textsuperscript{71} Ibid., 3.
\textsuperscript{72} Ibid., 117–18.
\textsuperscript{73} Ibid., 92.
\textsuperscript{74} Ibid., 6–7.
aims at describing the meaning of the content through a narrative.\textsuperscript{75} Coding could be said to be the defining aspect of all types of content analysis, but coding of manifest and latent content is done to a larger extent in qualitative content analysis compared to other types.\textsuperscript{76} To be able to code both manifest and latent content is an advantage if one wants to analyze the struggle over meaning and the production of knowledge because these statements are not only made explicitly. Manifest content is denotative meanings, what is literally written in the text. Latent content is connotative meanings, which means that it implies another meaning of the written text apart from the literally meaning. To code latent content requires a certain level of methodological awareness which is necessary to address; both as a possible problem and advantage. But a presentation of how the codes were created is necessary before this issue can be addressed in detail.

The study of the content is the study not of sentences but of statements.\textsuperscript{77} Something is said about someone or something in a statement; it contains some type of information on an issue. This information is organized around the use of certain key symbols or content categories.\textsuperscript{78} The theoretical assumption of the research question was the base for the creation of the categories in this thesis. The codes were generated through a combination of deductively, theory based, and inductively, data grounded, approaches.\textsuperscript{79} The first main category created based on the research question was “victim”, and was defined as a person harmed as a result of violence or discrimination, both during the war and in the post-war context. This category was then divided into different subcategories reflecting different categories of victims. These subcategories were partly identified in the material and were: women; men; ethnicity; girls; and boys. The following is an example of a segment coded as “victim” + “gender”:

Beyond the worries that anyone who lives in a war or conflict suffers, these women face other concerns. Whereas both men and women can be victim of sexualised violence, this paper – and seminar – focuses specifically on women.\textsuperscript{80}

\textsuperscript{75} Ibid., 1.
\textsuperscript{76} Ibid., 2–5.
\textsuperscript{78} Ibid., 116.
\textsuperscript{79} Drisko and Maschi, \textit{Content Analysis}, 103–5.
\textsuperscript{80} Öhman, “Voices from the Field,” 38.
The material did contain references to victims in both manifest and latent forms, and both these forms were coded as either explicit or implicit references to a specific category of victim.

The second category “transition” was created based on the research question, and defined as the process of a change from one state to another. In the creation of the subcategories, the definition of different types of “transition” was defined in more detail. The subcategories were: transition from war to peace; transition from socialism to liberal democracy; and transition from patriarchal structures to gender equality. These subcategories were created based on theory on TJ. Transition from war to peace is thus the process of justice in the change from war to peace. The following quote is an example of a segment coded as “transition” + “war to peace”:

The WCC [War Crimes Chamber], because of its placement within the domestic justice system and its strong commitment to taking ownership over the accountability process, offers tremendous potential to make an impact on the rebuilding of the rule of law in Bosnia.81

Transition from socialism to liberal democracy is linked to the roots of TJ as a mechanism to deal with the transition that took place in post-Soviet countries. It is thus defined as the process of justice and change in the period of transition from a socialist political structure to a liberal democracy. Transition from patriarchal structures to gender equality is based on a feminist understanding of gender relations and women in peacebuilding. The transition to gender equality is thus a transition to a society in which women and men are participating on equal terms in decision-making processes.

A theme was also found in the material, and that was “the cause of victimization”, a category based on the empirical material. This theme was then divided into two subcategories: nationalism, and patriarchy. This means that an agent does not have to be the causes of victimization. This theme could only be found in the reports by one organization, KtK, but it was given a significant role in the analysis because of its relevance to the creation of the concept of victim.

As I stated earlier, the issue of methodological awareness must be addressed more in detail. First, the issue of how to the codes were created must be addressed. One could

ask if it is possible to create trustworthy and credible codes alone. Qualitative content
analysis is encouraging researcher to work together when creating the codes, which was
not possible to do in this study. Therefore, I had to reflect upon my role and
preconceptions even more. To create the codes alone required a reflexive approach, and
a way to balance this subjectivity was to create clear definitions of each code. These
definitions were then presented at two seminars. Second, the issue of coding latent
material must also be addressed. Coding latent content requires an interpretation of the
material already at the early stages of the research, and the interpretation should then
be valid and accepted by others. Although coding of latent content constitutes a
challenge, it is still necessary to do as meaning is not always manifest and therefore
must be interpreted in the context of the text.\textsuperscript{82} Some examples of connotative meanings
were tested on the participants in the seminar to see whether they agreed with the
interpretation or not. One example of the interpretation of latent content which were
discussed at the seminar was this quote from a report by KtK:

One of the most pressing problems to resolve, as the women in the focus group
agreed, was to raise awareness on how the Bosnian and Herzegovinian society is
increasingly moving back towards traditional values based on patriarchal
structures. It is a setback that severely hampers women’s attempts to access power
and to take active roles in politics.\textsuperscript{83}

I asked the participants what they thought about the meaning of the text and we agreed
to code it as “transition” + “patriarchal structures to gender equality”. As not all codes
could be tested this is of course a weakness in the study, but I believe this can be
balanced by being transparent in the presentation of the analysis. The weakness in the
interpretation of codes is always a problem when the researcher is working alone. To
present and discuss the coding scheme at two seminars was one way of being
transparent and to create credibility and trustworthiness.

The methodological focus in qualitative content analysis is on the coding of the
data and not the analysis. With this said, I do not claim that the analysis of the data is
not of importance in this methodological approach, but a single standard method for

\textsuperscript{82} Drisko and Maschi, \textit{Content Analysis}, 83.

how to conduct the analysis is not offered. The most common way of analyzing data is to create a descriptive narrative of the coded material, which is also one of the major differences between qualitative content analysis and more critical methods for analyzing meanings in texts. It could then be asked if it is possible to use critical theory and qualitative content analysis in the same study. Qualitative content analysis is not hermeneutic in nature in contrast to critical method because it strives to describe the material whilst critical methods strive to understand it. In order to describe something one does not fully have to understand the phenomenon. What I want to question, however, is if it is even possible to analyze latent content, and hence doing an interpretation, without any variation of understanding as an element in the analysis. The analysis of latent content has an inherent aspect of relativism, but this does not mean that the analysis cannot be structured and transparent. To analyze the key concepts and the themes in a contextual way is to adopt a hermeneutic approach to some extent. I try to solve this methodological problem in this thesis by dividing the analysis into two parts. The first is a descriptive narrative of the material, which is presented as empirical findings. The second is a more critical analysis of the material based on the theoretical discussion. If the first is an attempt to describe something, the second is to understand the phenomenon. Further, I have already argued that it is possible to favor a constructivist approach which would also make it possible to take a position closer to hermeneutics than to positivism.

As already mentioned, the creation of a narrative based on the material is descriptive in this analysis. It is not possible to include every aspect that was found in the empirical material in the narrative – a choice between including and excluding categories and themes must be made. This decision was, to some extent, made based on how frequent a category or theme was, which is presented in tables throughout the section on empirical findings. The narrative was also created to shed light on the similarities and differences between HRW and KtK. Not all subcategories are included in the descriptive narrative – a consequence of limitation of space and the focus of the research questions. The narrative is centered around the category of victim, with a specific focus on gender, ethnicity and human rights, as well as the category of

84 Drisko and Maschi, Content Analysis, 8.
85 Ibid., 82–83.
86 Thurén, Vetenskapsteori för nybörjare, 94–103.
transition and the theme causes of victimization. The issue of choosing to include or exclude a category from the narrative also highlights the importance of contextualizing both the themes and the key concepts, which was done by linking the empirical material to the theories presented in the theory section. I also strived to provide the readers with examples of how context shaped meaning and interpretation in the analysis. The analysis was not merely done by creating a descriptive narrative, but I also by comparing the narrative of the two NGOs with each other. The comparative aspect of the method was used in order to be able to fully grasp the struggle over meaning, and was linked to the theoretical discussion on creation of space and subjects.
3. Empirical Findings
In this section, the empirical findings from the coding is presented. As already mentioned in the method section, two main categories and one theme were identified in the material: victims, cause of victimization, and transition. These three will be presented separately in this section. Although the comparison between HRW and KtK is made in the empirical analysis, the findings are presented together in this section. This is done to clearly illustrate the theme and categories in the material to the reader. However, there are no clear-cut lines between them and they are to a large extent interconnected. The question of how these categories and the theme are interconnected will be investigated in the analysis. The presentation of the empirical findings will follow the form describe in the method section: I create a narrative based on the theme and categories identified in the material. I will also use quotes to illustrate a specific argument or phenomenon. In order to situate the empirical findings, the first part of the section is a contextual background on TJ and NGOs in BiH.

3.2 Transitional Justice and NGOs in Bosnia and Herzegovina
After the end of the Communist era and the growth of nationalism in the 1980s, Yugoslavia underwent an economic and political crisis which resulted in the dissolution of the federation. A war broke out in BiH on April 6, 1992 in which around 100,000 people were killed and over 2.2 million people were displaced. Terms such as ethnic cleansing and rape as a war crime was created to describe the violence and violations in BiH, and especially the stories about women being raped in camps became a defining aspect of the narrative of the conflict, which ended on December 14, 1995. Another defining aspect of the conflict was ethnicity, which generated the “ancient ethnic hatred myth”. This narrative could be connected to the creation of Western Balkans as the Other in Europe because the conflict was perceived to confirm the perception of the Balkans as uncivilized and violent.

During the same period of time, TJ emerged as an integral part of state- and peacebuilding projects. TJ was therefore regarded as the most appropriate tool for

87 Resic, En historia om Balkan, 253–54.
90 See for example: Hansen, Security as Practice; Todorova, Imagining the Balkans.
addressing post-war issues in BiH. The conflict had been described as a “humanitarian nightmare”, and this narrative of the conflict shaped the responses in the post-conflict context. More specifically, the attention brought to rape and women’s suffering during the war, made the international community and foreign donors to prioritize women’s issues. The focus of TJ and peacebuilding projects were shaped by the narrative of the war, which created the conditions for what type of knowledge that the NGOs were asked to produce.

TJ, however, was not only defined in terms of transition from war to peace, but as transition from socialism to liberal democracy as well. To define the transition as leading towards democracy was crucial when the importance of rebuilding civil society after the war was put forward, which also led to the idea that the population in BiH needed to be taught good governance. This motivated international funders to focus on civil society actors, and it could be argued that the Bosnian civil society was created by these international actors after the war through the funding of different projects. The financial support to NGOs from international donors who had the intention to support local initiatives to peacebuilding led to an increase in domestic NGOS – what could be called an NGO-boom. This “project society” created a market of competition in which different NGOs competed against each other over funding, creating opportunities for career advancement and giving access to money and power for the NGOs. It is in this context that KtK and HRW produce their reports in BiH.

3.3 The Concept of Victims
In this section, I will present the empirical findings on the concept of victim. The victim category, as mentioned in the method section, is divided into three subcategories. These subcategories are here presented in the relation to the concepts human rights, gender and ethnicity. Each subcategory will be presented, but they are often relating to each other and this inter-relation will become apparent to throughout this section.

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93 Helms, Critical Human Rights, 91.
95 Ibid., 263.
3.4 Victims and Human Rights

TABLE 1.

<table>
<thead>
<tr>
<th>Organization</th>
<th>Segments coded as human rights</th>
</tr>
</thead>
<tbody>
<tr>
<td>Human Rights Watch</td>
<td>36</td>
</tr>
<tr>
<td>Kvinna till Kvinna</td>
<td>22</td>
</tr>
</tbody>
</table>

The first definition of victim to be presented in this section is the construction in relation to human rights. To create the concept of victim in relation to the concept of human rights is more often done by HRW than KtK as can be seen in table 1. However, the term “human rights violations” are used by both KtK and HRW for describing violence in general terms. They write:

The war broke out in Bosnia and Herzegovina in 1992. The warring parties committed gross human rights violations, including the most serious war crimes, such as genocide and systematic rape.97

The grave human rights violations committed during the 1992-1995 war in Bosnia and Herzegovina seized the international community’s attention due to their brutality and scale.98

There is a difference, however, between HRW and KtK in the understanding of human rights. KtK, in general, identifies the human rights violation in the context of the war and argues that the violations have consequences in the post-war context. These consequences are often understood as trauma and stigmatization of victims, especially if it is a victim of sexual violence:

First, it occurs on an abstract level as it is a human rights violation. Second, the crime often occurs in one’s community, putting it out in the open: It’s a stigma as everybody knows. You are deprived from the status of ‘victim’ and become ‘the one who was raped.’99

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97 Thomasson, “To Make Room for Changes,” 11.
99 Öhman, “Voices from the Field,” 23.
To emphasize the stigma connected to sexual violence is also a way to distinguish this form of violence from others.\textsuperscript{100} What this quote also illustrates is how the concept of victim is perceived to be strongly connected to the idea of human rights: if you are recognized as a right-holder then you can also be recognized as a victim. The term human rights violation is also used by KtK when a group of victims are victims of more than one crime only.\textsuperscript{101} The notion of “women’s rights” as a category within the concept of human rights is present in a majority of the reports by KtK.\textsuperscript{102} This means that human rights are not used for including other groups of victims but to conceptualize female victims in another way. This is especially evident in relation to the discussion about war-time rape in the material. The following quote sheds light on how KtK is conceptualizing rape as a violation of rights and not of dignity:

\textit{[\ldots] places rape in the context of human rights rather than within the context of protection, which have previously suggested that women are objects that have to be protected.}\textsuperscript{103}

This distinction between the idea of protecting rights and protecting dignity will be further discussed in the part about gender.

HRW, on the other hand, makes a clearer distinction between human rights violations and war crimes.\textsuperscript{104} War crimes can, evidently, only be committed in a war, whilst human rights violations can be committed in times of both war and peace. This means that war-time rape is constructed as a human right violation in the war, which makes it a war crime.\textsuperscript{105} Human rights violations are thus linked to war crimes in the material:

\textsuperscript{100} Ibid., 28.
\textsuperscript{101} Kapur, “‘Do Not Underestimate My Strength!,’” 18.
\textsuperscript{103} Öhman, “Voices from the Field,” 42.
\textsuperscript{105} Vandenberg, “Hopes Betrayed,” 4.
The armed conflict [...] was characterized by grave violations of human rights including mass killings, rapes, widespread destruction, and displacement of the population.\textsuperscript{106}

Other forms of human rights violations might then occur in the post-war context, and they are often a consequence of not achieving justice for crimes committed during the war. This means that HRW, in comparison to KtK, is making a clear distinction between violations in war-time and violations in the post-war context. HRW is also referring to law, e.g. UN conventions and declarations as well as the European Convention on Human Rights, in the discussion about human rights, which is not done by KtK to any large extent.\textsuperscript{107} This has an impact on how HRW construct the concept victim based on human rights violations. Missing persons and their relatives; displaced persons or internal refugees; trafficking victims; and victims of unjust trials are defined as victims in the reports by HRW.\textsuperscript{108} This also illustrates how war crimes are understood to have an impact in the post-war context which leads to human rights violations in the post-war context. To combat human rights violations is then an important factor in the reconstruction of the post-war society.

Although KtK mentions the UN Resolution 1325, this is done in the context of gender and is a way of conceptualizing women’s rights as human rights, and is thus linking human rights to the broader context of human development.\textsuperscript{109} Missing persons, internal refugees, and trafficking victims are identified as victims but are situated in the context of gender. This means that male victims of human rights violations are not mentioned with a few exceptions. The variation in references to law is one of the major differences between the organizations, and it indicates a difference in how human rights are conceptualized. How both HRW and KtK are conceptualizing and situating human rights will be discussed more in detail in the analysis.

Both organizations are describing the victims of human rights violations in a similar way. These victims are identified by the criminal actions which they are victims of, as well as in opposition to the perpetrators. To describe victims of human rights


\textsuperscript{107} Ibid., 34; Singh, “Narrowing the Impunity Gap,” 19.


violations as a group, e.g. “women” or “minorities”, makes the victims face-less.\textsuperscript{110} The exception is when an individual victim is represented or quoted in the reports. HRW uses a story by a Bosnian woman from a village near Zvornik to illustrate the situation of displaced persons:

\begin{quote}
I have returned to the area of Zvornik to live there, but if the criminals are not brought to justice, I will not stay there forever.\textsuperscript{111}
\end{quote}

KtK is not using quotes from victims to describe violence or violations. This quote from a Bosnian activist demonstrates KtK’s position in the question of human rights activism:

\begin{quote}
If you are fighting for human rights, then you are fighting for all humans’ rights, such as the rights of the LGBT population.\textsuperscript{112}
\end{quote}

Here, the reference to human rights is used to include other groups than women in the concept of victim. This is, however, rarely done in the reports by KtK, and the empirical findings related to this issue will be presented next.

3.5 Victims and Gender

The second category is connected to gender. Table 2 shows how KtK is creating the concept of victim in relation to gender to a much larger extent than HRW, which could be expected because of their focus on women’s rights.

\begin{table}[h]
\centering
\caption{Creation of the Concept of Victim in Relation to Gender}
\begin{tabular}{ll}
\textbf{Organization} & \textbf{Segments coded as gender} \\
Human Rights Watch & 17 \\
Kvinna till Kvinna & 84 \\
\end{tabular}
\end{table}

Gender is, by KtK, understood as the social construction of men and women.\textsuperscript{113} The organization deploys a binary understanding of gender, which means that queer is not

\textsuperscript{112} Kapur, “‘Do Not Underestimate My Strength!’,” 19.
included in the understanding of gender. Table 3 shows how references to gender in the material by KtK is overwhelmingly a reference to women or womanhood, which means that gender could almost be equalized with women.

TABLE 3.
References to Gender in the Material by KtK

<table>
<thead>
<tr>
<th>Subcategory</th>
<th>Segments coded</th>
</tr>
</thead>
<tbody>
<tr>
<td>Men</td>
<td>9</td>
</tr>
<tr>
<td>Women</td>
<td>70</td>
</tr>
<tr>
<td>Non-specified</td>
<td>5</td>
</tr>
</tbody>
</table>

To deploy a gender perspective is then to focus on women, not men, transsexual or queer persons. Female victims are described as poor, uneducated and part of the rural population. Poor women are identified in the material to have been the most vulnerable group during the war, but their poverty can also be a consequence of the war:

The extensive unemployment that has resulted has thrown women into despair and many are now trapped in poverty.

These women were victims of torture, rape, and ethnic cleansing during the war, but in the post-war context, they are the victims of gender inequality, stigmatization, and insecurity. Violence against women is explained by the continuum of violence from the structures of the war:

[,] a huge increase in violence against women due to the resurrection of a macho militaristic culture, stress caused by war, and the overall political, economic, and social situation.

The violation of women’s rights, or lack of gender equality, is thus a result of the flawed transition from war to peace. KtK calls upon agents involved in the peace process to acknowledge “women’s needs”, but it is not obvious what these needs are and if all

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114 Ibid., 17.
115 Cullberg Weston, “War Is Not over with the Last Bullet,” 8.
women share them.\textsuperscript{117} The idea of needs is connected to the idea that women share a specific experience of the war because of their gender, and women are then described as a homogenous group in the reports:

Knowing how to read the female dimension in humanitarian crises and draw the right conclusions from it, can render our interventions much more efficient and infinitely more humane […] Not only seeing the “victims” but the potential actors is one important way of reading the female dimension.\textsuperscript{118}

To identify the needs of women is also a way of contributing to reconciliation.\textsuperscript{119} By listening to the victims, the NGO staff can give the voice back to the victim. Women should, therefore, not only be viewed as victims but also as contributors to peace.

\textbf{TABLE 4.}
Female Victims as Agents for Peace

<table>
<thead>
<tr>
<th>Organization</th>
<th>Segments coded as women as agents for peace</th>
</tr>
</thead>
<tbody>
<tr>
<td>Human Rights Watch</td>
<td>2</td>
</tr>
<tr>
<td>Kvinna till Kvinna</td>
<td>38</td>
</tr>
</tbody>
</table>

References to women as actors of peace can mainly be found in the reports by KtK, although it is mentioned at two times by HRW, which can be seen in table 4. In relation to these women, foreign actors have a role to play as:

[…] support from the outside world is only a way of helping a strong people get back on its feet.\textsuperscript{120}

Female actors on the international level possess a specific form of knowledge that could liberate the Bosnian women, but this should be done in cooperation with local women. This will be discussed more in detail in relation to the theme transition and in the analysis.

\textsuperscript{117} Cullberg Weston, “War Is Not over with the Last Bullet,” 9.
\textsuperscript{118} Ibid., 61.
\textsuperscript{119} Öhman, “Voices from the Field,” 43.
\textsuperscript{120} Cullberg Weston, “War Is Not over with the Last Bullet,” 15.
HRW is mainly mentioning the gender dimension in relation to two issues. The first is an explicit reference in relation to trafficking victims. The second is an implicit reference in relation to ethnic violence that only affected men (as direct victims). Although references to women in relation to gender is predominant, which can be seen in table 5, the difference is not as large in comparison to KtK.

<table>
<thead>
<tr>
<th>Subcategory</th>
<th>Segments coded</th>
</tr>
</thead>
<tbody>
<tr>
<td>Men</td>
<td>5</td>
</tr>
<tr>
<td>Women</td>
<td>12</td>
</tr>
<tr>
<td>Non-specified</td>
<td>0</td>
</tr>
</tbody>
</table>

In 2002, HRW published a report about trafficking in BiH. The introduction links trafficking to the sexual violence during the war, and concludes that this form of violence did not end with the Dayton Peace Agreement – one form of sexual slavery just transformed into another version. The major difference between the war and the post-war context is the victims, because the victims during the war were women from BiH, whilst the victims of trafficking are mainly from post-Soviet countries. KtK is also talking about trafficking victims but are more interested in describing the possibility of Bosnian women becoming victims of trafficking due to by poverty. The main difference is that HRW is not identifying this as a gender issue in the same way as KtK – HRW is not referring to patriarchal structures and hierarchies - but conceptualizes it in terms of women’s human rights. Women’s human rights are still different from men’s because women are in need of special protection as they constitute a vulnerable group. Trafficking then pin-points the need of protecting women’s human rights. HRW describes trafficking victims as vulnerable women in need of protection from the perpetrators who primarily are Bosnian men. Even if the international community is identified as a perpetrator in the material, it is first and foremost the agent of solution as it can put pressure on the Bosnian government to act. The common aspect of both groups of perpetrators is that they are men, which also strengthens HRW’s claim that women are in need of special protection. I have already addressed the issue of

122 Cullberg Weston, “War Is Not over with the Last Bullet,” 36.
KtK’s emphasis of the importance of conceptualizing war-time rape as a violation of a right and not a violation of the woman’s dignity. A similar understanding can be found in the material on trafficking.124 This is one of the major differences between how HRW and KtK is conceptualizing the concept victim in relation to gender, and especially women.

The implicit reference to gender can be found in the material in the description of how men were targeted during the war, although this is only mentioned at five instances as could be seen in table 5. HRW links the targeting of men to the ethnic dimension of the conflict:

Up to one thousand men and boys who stayed in the enclave were separated from the rest of the civilian population. Most men attempted to flee, in a huge column, through the woods […] Bosnian Serb forces intercepted the column and attacked it. Large numbers […] were either killed or taken prisoner. In the following ten days, Bosnian Serb forces executed thousands of Bosnian Muslim men and boys – both those captured in the woods and those separated from women and children – in areas north of Srebrenica.125

The massacre of Bosniak men and boys in Srebrenica is used as a key example of male suffering in the reports by HRW.126 In contrast, KtK only refers to Srebrenica as an example of female suffering caused by loss of family members and their homes.127 Male suffering is only understood as a possible threat to women’s well-being as it might lead to domestic violence.128 This means that men are not exclusively recognized as victims of gendered violence in the reports, but also as threats to women. HRW is the only of the two organizations that recognizes how both men and women were victims of sexual violence during the war.129 I have already mentioned that KtK is arguing in the reports that sexual violence is a specific form of violence because of the stigma attached to it. The stigmatization is only recognized in relation to female and not male victims. In a

124 Cullberg Weston, “War Is Not over with the Last Bullet,” 65.
125 Human Rights Watch, “‘Safe Areas’ for Srebrenica’s Most Wanted,” 1.
126 Ibid.
127 Cullberg Weston, “War Is Not over with the Last Bullet,” 19.
128 Tideström et al., “Pushing the Limits,” 35–36.
patriarchal society, both men and women who are victims of sexual violence would face the stigma attached to the crime – albeit in different ways. This is, however, neglected by both KtK and HRW. For KtK, sexual violence also raises another question: whether it should be understood primarily in terms of gender or ethnicity. KtK is describing “savage rapes and the humiliation of women” as a defining part of the conflict in the material.\textsuperscript{130} However, this has both a gender and ethnic dimension, and this ambivalence is even clearer in the discussion about ethnic violence.

3.6 Victims and Ethnicity
The third category of victim is related to ethnicity. Ethnicity is part of the general narrative of the war in all reports by both organizations. The creation of the concept of victim in relation to ethnicity is the most common construction found in the reports by HRW, and it is mentioned almost twice as much as in the reports written by KtK which could be seen in table 6. This difference in instances of the code in the data indicates a difference in how the two organizations frame the problems in the context.

<table>
<thead>
<tr>
<th>Organization</th>
<th>Segments coded as ethnicity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Human Rights Watch</td>
<td>43</td>
</tr>
<tr>
<td>Kvinna till Kvinna</td>
<td>23</td>
</tr>
</tbody>
</table>

KtK argues that in some way, all people who have been experiencing the war is a victim.\textsuperscript{131} In comparison to HRW who clearly focuses on actual violations, KtK incorporates the consequences of the war in a broader sense. Victims of the ethnic war is not exclusively defined as victims of direct violence, but victims of broken mixed marriages or children from these marriages as well.\textsuperscript{132} In that sense, KtK understands the whole society as a victim of the ethnic war. Peacebuilding and healing on the group level – understood as reconciliation – is therefore necessary, which will be discussed in relation to the theme of transition. Based on the material, the conclusion that KtK is mainly working with the constituent peoples, i.e. Bosniaks, Croats, and Serbs can be

\textsuperscript{130} Cullberg Weston, “War Is Not over with the Last Bullet,” 11.
\textsuperscript{131} Ibid., 14.
\textsuperscript{132} Ibid., 35.
made. The only reference to another ethnic group is in the report about nationalism and patriarchy, in which it is mentioned that Roma are facing discrimination in BiH and are viewed as “the Other”. However, no references to minority groups could be found in the material about the interviews conducted with women’s organizations.

There is also a difference in how the two organizations identify the threat of organizing along ethnic lines in the post-war context. HRW primarily defines this as a threat to minority groups. Minority groups can both be understood as being one of the constituent peoples or one of the national minorities, e.g. Roma or Jews. Instances of both understandings can be found in the material and this shifts over time. In the earlier reports, HRW is more concerned about the situation of returnees who is often identified as members of one of the constituent peoples. This type of discrimination is connected to the war and ethnic violence that took place in it. The discrimination of national minorities is identified as a consequence of the Dayton Peace Agreement, which is only recognizing the political rights of constituent peoples. KtK primarily defines the organization along ethnic lines as a threat to women.

An unwillingness to speak about ethnicity can also be found in the reports by KtK. Based on the data, an ambivalence in the conceptualization of ethnicity can be identified. This ambivalence seems to stem from how ethnicity can split the group of women into smaller divisions. Because of this conflict between categorizing victims based on gender or ethnicity, the following argument is made about how gender almost trumps other identities:

Since gender transverses class, ethnicity, and religion, the differential assessment of the roles of men and women and the impact the Bosnian conflict has had on them is of primordial importance for the peace-making and peace-building process.

133 Hamrud and Wassholm, “Patriotism and Patriarchy,” 19.
This idea is used in the reports to legitimize how ethnic identities are ignored or neglected.

An interesting difference between HRW and KtK is their view on the census conducted in 2013. HRW are positive, in advance, for the possibility of resolving the issue of discrimination of minority groups. KtK, on the other hand, argues that the census only resulted in an increase of nationalist rhetoric, and that ethnicity is used for the purpose of political domination. To acknowledge victims based on ethnicity and ethnic violence is, therefore, only to conform to the nationalistic discourse:

All people in the former Yugoslavia bear a feeling of being victims, and this is the very foundation for nationalism. We don't know how not be nationalistic.

This idea stands in stark contrast to HRW’s view that ethnic groups much be recognized as victims. Ethnic violence and violations are considered as not only aspects of the war, but of the post-war context as well. HRW often clearly states the ethnic identity of both victim and perpetrator:

Many “floaters” are Bosniaks who were violently evicted by displaced Bosnian Serbs that were accommodated in their homes, or who fled from the violent behavior of their Bosnian Serb “guests.”

3.7 Victims and Activism
The creation of the concept of victim is not only a matter of filling the concept with meaning, but it is also a matter how the victim is represented in the reports. Both HRW and KtK are using individual stories to illustrate the issue discussed and to give a face to the experience of violations, and the question is who is chosen to be the representative of the group of victims. HRW uses quotes from interviews done by the

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140 Ibid., 10.
142 Ibid., 38.
researchers. One example of this is the following quote from a man describing his own experience of the investigation of his missing family members:

A few years ago, there was a meeting in a nearby village about the issue of missing persons. A cantonal prosecutor from Bihac was there. I asked her during the meeting whether I could visit her in her office, and bring the witnesses with me, because I wanted the bodies to be found. It shouldn’t be impossible to establish at the trial whose task it was to bury the bodies.  

The impression one gets from this quote is that it should illustrate the ordinary experience of this category of victim; a victim of ethnic war. What is not mentioned, however, is that this man is an activist. The use of activists or local NGO staff is also done by KtK, but the person’s title is often written together with their name under their statement. Several of KtK’s reports is also based on experiences of local activists. For a reader, not familiar with the context or one who does not read all the details, HRW seems to only interview non-activist victims.

The use of activists and local NGO staff to put a face on victim stories raises the question of the idea of the “ordinary victim”. KtK is emphasizing the duality of victimhood: women are not merely victims of war but also contributors to peace. The activist is embodying this statement, but activists are not only female – so why are male activists not recognized? One possible explanation can be found in the how causes of victimizations are identified and understood. How activists are portrayed and understood will also be discussed in relation to the role of civil society in transition.

3.8 Nationalism as the Cause of Victimization
Nationalism defined as the cause of victimization can be found both in the war-time and post-war context, but is almost exclusively found in the reports by KtK as can be seen in table 7.

144 “Fikret Bacic - Bosnia and Herzegovina | International Center for Transitional Justice.”
145 Kapur, “‘Do Not Underestimate My Strength!’”
TABLE 7.
Cause of Victimization Defined as Nationalism

<table>
<thead>
<tr>
<th>Organization</th>
<th>Segments coded as nationalism</th>
</tr>
</thead>
<tbody>
<tr>
<td>Human Rights Watch</td>
<td>2</td>
</tr>
<tr>
<td>Kvinna till Kvinna</td>
<td>20</td>
</tr>
</tbody>
</table>

KtK identifies nationalism as one of the main causes of the war and the victimization that followed:

The war that engulfed Bosnia and Herzegovina from 1992 to 1995 was the product of concerted interest by the presidents of Croatia and Serbia to divide Bosnia and Herzegovina between themselves […] Ethnic and nationalistic intolerance led to a war where the civilian population was heavily affected.\textsuperscript{146}

An idea that nationalism is preventing the transition forward can also be found in the material. Nationalism forces women to adapt to traditional gender roles, and a backlash of conservative values has taken place:

For example, the religious communities have played a major role in the Balkans to fire up resistance towards abortion and a prohibition on the types of family constellations that do not follow the traditional nuclear family.\textsuperscript{147}

The nationalistic discourse in BiH are understood to force people to identify with their ethnic identity, and is used as a tool for politicians to keep in power.\textsuperscript{148} Another way of organizing the political society would then be preferable, but the institutional structure caused by the Dayton Peace Agreement makes this almost impossible.

A slightly different understanding of how nationalism causes victimization can be found in the reports by HRW. In the report on post-war legal justice, HRW writes that nationalism in Republika Srpska is one of the main reasons why perpetrators have not been brought to justice:

\textsuperscript{146} Lithander, “Engendering the Peace Process,” 17.
\textsuperscript{147} Hamrud and Wassholm, “Patriotism and Patriarchy,” 5.
In the post-war period, Serb nationalism has dominated the politics of Bosnia’s Serb entity. In the decade since the end of the war, authorities there have failed to convict a single person for war crimes. Karadzic and Mladic are widely regarded as heroes, particularly in the entity’s eastern half.\textsuperscript{149}

Nationalism as an obstacle for legal justice is, however, the only reference to nationalism in the reports by HRW. Nationalism is not identified as a cause of victimization in relation to the discrimination of ethnic minorities, but an implicit reference to nationalism can, however, be found in the discussion about discrimination as HRW is connecting ethnic discrimination to the Dayton Peace Agreement which is perceived to maintain a nationalist political structure.

### 3.9 Patriarchy as the Cause of Victimization

In contrast to KtK, HRW is only acknowledging the ethnic aspect of nationalism and not the gendered. KtK is not only addressing how the concept of victim has been hijacked by nationalist politicians, but also how victimization of women caused by nationalism.\textsuperscript{150} This discussion and understanding cannot be found in the reports by HRW, as showed in table 8, in which the patriarchy is not present as an explanatory factor.

<table>
<thead>
<tr>
<th>Organization</th>
<th>Segments coded as patriarchy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Human Rights Watch</td>
<td>0</td>
</tr>
<tr>
<td>Kvinna till Kvinna</td>
<td>18</td>
</tr>
</tbody>
</table>

The discussion about the connection between nationalism and patriarchy in the reports by KtK is one of the few exceptions in the material which includes others than women in the definition of the concept of victim. Like HRW, it is argued in the reports that post-war reconstruction is dependent on the interests of the dominant ethnic group in the area.\textsuperscript{151} These interests and the politics that follow, is a threat not only to women

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\textsuperscript{149} Human Rights Watch, “‘Safe Areas’ for Srebrenica’s Most Wanted,” 2.

\textsuperscript{150} Kapur, “‘Do Not Underestimate My Strength!,’” 18.

\textsuperscript{151} Hamrud and Wassholm, “Patriotism and Patriarchy,” 14.
but also to minorities, immigrants, and LGBTQ persons. This is a clear shift from only including women to also include other marginalized groups in the creation of victims.

Still, the emphasis is on women, and they are identified as the counterpart to (male) nationalism. Women cannot support nationalistic politics as this is a threat to their rights, which means that another explanation to why they are voting for nationalist politicians must exist:

 [...] but there is anecdotal evidence that women often are manipulated in nationalistic, conservative, and patriarchal ways in the way they vote.152

Nationalism and patriarchy is here understood as being connected and KtK does no clear-cut distinction between nationalism and patriarchy in the reports:

Patriotism and peacebuilding do not go hand in hand. Patriotism sets me apart from the other person – the alleged other. We are told that ‘patriotism’ means to love my country. But they use our patriotic sense of belonging and give it a false meaning. We must remember that ‘Patriotism’ equals ‘fatherland’, which equals ‘patriarchy’.153

A society that is pervaded by nationalism and patriarchal structures are especially dangerous for women.154 This is not only a matter of actual violence, but also of exclusion from political decision-making. The Dayton Peace Agreement is once again understood to be an obstacle for women’s participation in politics.

To understand the patriarchy as a cause of victimization raises the question of how victimhood is being understood. Throughout the presentation of the empirical findings, I have tried to make clear the distinction between war-time and post-war issues. Although the sexual violence against women are understood as being caused by the patriarchy, a topic already discussed in this section, the explanation of the patriarchy as a cause of victimization is even more present in relation to post-war issues. The violence and discrimination taking place in the post-war context is often described in

153 Kapur, “‘Do Not Underestimate My Strength!,'” 15.
154 Hamrud and Wassholm, “Patriotism and Patriarchy,” 36.
the reports as a continuum of gendered violence from the war. Here, militarism and patriarchal structures are viewed as two sides of the same coin:

As for violence against women, women’s SOS hotlines have reported from all over the former Yugoslavia a huge increase in violence against women due to the resurrection of a macho militaristic culture, stress caused by war, and the overall political, economic, and social situation.

The militarization does not only concern women, but men as well. Men’s violence against women are understood as a consequence of the militarization of the society in combination with “latent patriarchal structures”. These structures are not acknowledged by HRW, not even in the report on trafficking in BiH. Trafficking is then understood to be a crime committed by perpetrators, and underlying structures of the crimes are not discussed. KtK, on the other hand, links the trafficking crimes to the larger structure of violence against women, which is caused by the conservative society. The conservative society is defined as including both a strong nationalist ideology and a patriarchal structure. The patriarchy is then understood as universal, but it is manifested in distinctive forms because of the specific context, e.g. a post-war society. To take structural issues into account in the analysis of events is one of the major differences between KtK and HRW. The idea of patriarchal structures as one of the main causes of violence against women and violations of women’s rights is the base for KtK’s work. I will come back to this difference in the discussion about transition as well as in the analysis.

3.10 Transition from War to Peace
Transition is – unlike change which can be without a clear direction – from one thing to another. When the two organizations identify transition, they thus identify a progression. Transition could, therefore, be understood as being from something old and bad (war) to something new and good (peace). Transition is also a matter of identifying a problem and solution, and this situates the organization in the context.

155 Ibid., 16.
157 Tideström et al., “Pushing the Limits,” 35.
158 Ibid., 38.
The first definition of transition is from war to peace. Both HRW and KtK identify this as the most important transition in the Bosnian society, although the data shows that KtK is mentioning this twice as much as HRW, which is showed in table 9. A specific understanding of how the war shapes the understanding of transition can be found in the material. Both HRW and KtK define the war in BiH as an ethnic war, and the recreation of the multicultural society is thus necessary for peace:

Since “ethnic cleansing” was at the core of the war in Bosnia and Hercegovina, the return of refugees and displaced persons lies at the core of the peace process. Without the return of refugees and displaced persons the Dayton agreement will have failed and policies of “ethnic cleansing” will have succeeded.159

The data suggests, however, that the issue of how the multicultural society should be recreated is a matter of dispute between HRW and KtK.

This dispute is even clearer in relation to how HRW and KtK are defining problems and solutions in the reports. As HRW is emphasizing the legal dimension, in terms of war crimes, during the war, the suggested solution to the problem is judicial trials. Legal responses to war crimes is a way to heal the victims and restore law and order.160 This is not only a transition on the institutional level, but on the human level as well. This can be exemplified by the demand that “the victims of Srebrenica should not have to wait another decade for justice”.161

Legal trials, and the justice being reached through them, is then a way to restore the dignity of victims. To not prosecute perpetrators of war crimes is to not take responsibility in the post-war context:

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Victims of these crimes, and their families, have been waiting for more than a decade to see justice done. The international community made a commitment to victims to bring perpetrators of these crimes to justice when it created the ICTY. It is vital that authorities in Bosnia, as well as the international community, take the necessary steps to follow through on this commitment.162

This is primarily the responsibility of the international community, but also of the Bosnian society since the War Crime Chamber was established in 2005.

In addition, HRW views legal trials as a tool for understanding history. The judicial system is understood to be “objective”, whilst civil society is “subjective” or “biased” because they might have been “influenced by political concerns”.163 This means that the truth can only be found by means of legal trials:

A related lesson from Bosnia is that it is important for prosecutors and investigators to map out the conflict early on in order to gain a sense of what kinds of crimes occurred, when and where, who the victims were, and the likely identity of perpetrators.164

However, a reference to how NGOs can contribute to legal trials can also be found in the material by HRW:

NGOs could be another valuable source of evidence for the prosecution of war crimes, crimes against humanity, and genocide. Many local NGOs have been actively compiling evidence on the identities of victims and perpetrators [...] It is true that NGOs are generally not trained in criminal investigation, and some may have been influenced by political concerns. Evidence gathered by them may be considered hearsay, for example, and therefore not admissible at trial.165

This quote illustrates an ambivalent view on the role of NGOs in the context of judicial trials, and thus their role in the transition from war to peace. This ambivalence is related

163 Ibid., 30.
to the issue of establishing the truth, which also highlights an ambivalence in relation to the victim. Victims, in the form of witnesses, can contribute with facts, and the truth of these facts can be investigated in a trial.\textsuperscript{166} Victim testimonials are, however, only one source of information in trials. Legal investigations and testimonies by perpetrators are important as well for the purpose of establishing the facts. HRW further argues that there is a “clear connection” between successful prosecution of war crimes and implementation of human rights.\textsuperscript{167} Justice is then only understood in legal terms and legal proceedings are crucial in the transition from war to peace because they restore the respect for human rights.

This points to the issue of how justice is conceptualized. KtK is critical against how victims are being used as means in legal proceedings:

\textit{[\ldots] the victim should not be used merely as a tool in the name of upholding legal justice. The specific conditions that affect a female victim of sexualised violence must be looked at from a broader and more holistic perspective so that she can be supported in a better way than what has been the case so far.}\textsuperscript{168}

KtK argues in the reports that justice for the victims can be done in the context of civil society and politics instead. This is a more holistic approach to justice – including legal justice as well as social and economic rights, and is rooted in the understanding of transition from war to peace:

\textit{A peace agreement is not only the end of war, it is also the starting-point for building a whole new society.}\textsuperscript{169}

This raises two questions. First, how this new society should look like. Second, who it should be built by. KtK argues that involvement of civil society is an “essential precondition” for stable peace and should therefore be viewed as agents of change.\textsuperscript{170} The data from KtK shows how civil society is often equalized with women’s organizations:

\textsuperscript{168} Öhman, “Voices from the Field,” 10.
\textsuperscript{169} Lithander, “Engendering the Peace Process,” 52.
\textsuperscript{170} Thomasson, “To Make Room for Changes,” 6.
Women, as representatives of civil society, have knowledge about the basic needs and obstacles encountered in forming new societies, and their experiences cannot be excluded.\textsuperscript{171}

Women’s experiences of the war make them particularly suitable for this task because they were the first to cross ethnic borders during the war when they worked with humanitarian aid.\textsuperscript{172} Women can use this experience in their peacebuilding work as well, something that is strongly emphasized by KtK. Local women’s NGOs are also viewed to have a democratic power, as they can lift the voices of the marginalized – voices that would otherwise be silenced. One example of this is how they have been the first to put issues such as domestic violence, trafficking, and war-time rape on the agenda.

The data shows two different perceptions about civil society, which is constituted by key actors in the field of TJ. KtK is even emphasizing how NGOs, in legal trials, can:

\[
[...] \text{play a very important role by forging direct contact with the victims, and thus work as a channel between the investigators and the witnesses. NGOs are best suited to alert other relevant actors of the particular needs of victims and to advise on issues related to the development of international law and legal institutions.}\textsuperscript{173}
\]

In other words, NGOs can protect the interests of victims, and make sure that they are not merely used as means towards a legal aim. KtK, in contrast to HRW, understands NGOs to be the ones who can protect the victim’s dignity – not the legal trials in themselves.

The international community also plays a key role in the national civil society, as they are the ones who can teach these women’s organization the knowledge they need for creating stable peace:

\textsuperscript{171} Lithander, “Engendering the Peace Process,” 52.
\textsuperscript{172} Ibid., 9.
\textsuperscript{173} Öhman, “Voices from the Field,” 11.
The transfer of knowledge takes place in many different fields; from how to organise and manage the supported women’s organisations to how to enhance democratic values in the society.\(^{174}\)

Although these organizations were the first to identify and handle problems, both during the war but also in the post-war context, they are now in need of help in order to continue the transition to stable peace. KtK identifies itself as being one of few international organizations that work in close relation to local NGOs.\(^{175}\)

### 3.11 Transition from Socialism to Liberal Democracy

The issue of what constitutes this new society has not yet been answered. Apart from being a society in peace – a state that is given different meaning by HRW and KtK – it is also linked to the two other understandings of transition. The first is transition from socialism to liberal democracy. The only reference to this definition of transition in the material by HRW is in relation to the establishment of the rule of law. As this topic has already been discussed above, I will not dwell upon that subject again. Therefore, this will be a presentation of the data on this definition of transition which can be found in the material by KtK. Based on the data we can see that references to transition from socialism to liberal democracy is also much more present in the material by KtK than in the material by HRW as it is showed in table 10

<table>
<thead>
<tr>
<th>Organization</th>
<th>Segments coded as transition from socialism to liberal democracy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Human Rights Watch</td>
<td>2</td>
</tr>
<tr>
<td>Kvinna till Kvinna</td>
<td>21</td>
</tr>
</tbody>
</table>

The transition from socialism to liberal democracy did not start with the end of the war in 1995, but much earlier. The war is then understood to have hindered an easy transition to liberal democracy, in contrast to many of the other Central European countries:


Liberal democracy and peace are, in other words, viewed as two intimately related phenomena. Respect for human rights is a fundamental aspect of the liberal democracy and is thus a necessary condition for peace. This further constitutes a shift in the understanding of human rights. The right to work was defined as a human right in the communist era, but the high unemployment rates in the post-war society has changed this understanding. Implicit in this argument by KtK is the idea that the right to work is not a prioritized right in a liberal society, and other rights are more important. The solution to the economic problems are reforms with the purpose of making BiH “attractive to investors”, and if the country just adapted to the global market economy, the unemployment could be combated. KtK is, at the same time, critical of the structural adjustment plan put in place by the International Monetary Fund because how it reduced pensions, health care benefits, and increased the cost of studying at university. According to KtK, especially women became the victims of these reforms – they became the victims of poverty. But the only instance of explicit critique of these neoliberal economic reforms can be found in a report from 2016:

[…] a post-war neo-liberal political and economic system was imposed upon the citizens of BiH through the imposition of ethnic identities, a process and outcome mediated and guaranteed by the international community.

The neoliberal reforms are then linked to a political system that is ethno-nationalistic and hence a threat to women. The post-conflict reconstruction is viewed as an opportunity to redistribute resources which would change specific hierarchies of power. This should not, however, be confused with socialism. KtK argues that it is important to acknowledge the root causes of the conflict – implicitly referred to as nationalism

177 Cullberg Weston, “War Is Not over with the Last Bullet,” 13.
178 Ibid., 15.
179 Thomasson, “To Make Room for Changes,” 34.
180 Kapur, “‘Do Not Underestimate My Strength!’” 11.
and patriarchal structures – and power must therefore be organized around gender equality.

But socialism is viewed as positive in relation to one issue: gender equality. Women had, as a group, a better status in the socialist era than they have now:

It is common to talk about a “re-traditionalisation” of society from the 1990s onwards, in comparison to memories of the socialist era. Back then it was (almost) as likely for an engineer building a bridge to be a woman as a man, even if the unpaid work in the home, like today, was largely performed by women.

The present should not be defined as liberal democracy as this has not yet been achieved. When liberal democracy is achieved, then gender equality will be too because it is perceived as a fundamental aspect of the liberal democracy.

### 3.12 Transition from Patriarchal Structures to Gender Equality

The third subcategory, which is closely connected to the second, is the transition from a patriarchal structure to gender equality. Table 11 shows how this theme can only be found in the reports by KtK, and it is often an implicit reference to the theme.

<table>
<thead>
<tr>
<th>Organization</th>
<th>Segments coded as transition from patriarchal structures to gender equality</th>
</tr>
</thead>
<tbody>
<tr>
<td>Human Rights Watch</td>
<td>0</td>
</tr>
<tr>
<td>Kvinna till Kvinna</td>
<td>17</td>
</tr>
</tbody>
</table>

This theme is also connected to the idea of what is needed for a stable peace to be achieved:

In order to achieve real peace you must eliminate all reasons for conflict, all factors that can create conflict, including discrimination. And in that sense any anti-discrimination work or equality work must be regarded as being peace building.

183 Thomasson, “To Make Room for Changes,” 60.
Women are described as active agents of peace in the material, and if they are included in the transition it must result in a more gender equal society.\(^{184}\) The peacebuilding process is then viewed as an opportunity to change gender roles and the gender hierarchy. KtK writes. This progress can only be achieved through the work by civil society as these organizations can give voice to the needs of marginalized groups. It should be noted that men (as a group) are already understood to take part in TJ and peacebuilding as they were the ones to sign the Dayton Peace Agreement. A notion of the need of including women in decision-making is a recurrent claim in the material, and men are then understood to be represented by politicians whilst women are represented by civil society.\(^{185}\) This sheds light on how KtK sees peace, gender equality and liberal democracy as interconnected. Gender equality is understood to be an integral aspect of the liberal democracy, and liberal democracy is a necessary condition for stable peace. Issues such as domestic violence or trafficking can hence be viewed as part of TJ. To combat these issues is then to work with peace-building. What has been defined as humanitarian work by local NGOs can then instead be defined as peacebuilding.\(^ {186}\) The fact that the last two definitions of transitions are only present in the reports by KtK and not in the reports by HRW is an interesting aspect which will be discussed in the analysis.


\(^{185}\) Ibid., 50.

\(^{186}\) Ibid., 48.
4. Empirical Analysis
This section is a theoretical analysis of the empirical findings which were presented in
the previous section, and is divided into two parts. The first is an analysis of the creation
of space. Here, I will address issues connected to the theoretical discussion about
cosmopolitanism, human rights, and development. In other words, it is an analysis of
how HRW and KtK create their own world in their reports. The second is an analysis
of the creation of the Other. This is analyzed by using the concepts of representation
and the subaltern from the theoretical framework. HRW and KtK will be analyzed
together in this section. The purpose of this organization is to be able to shed light on
similarities and differences throughout the theoretical analysis.

4.1 Creation of Space
In the theoretical section, I presented the idea of a cosmopolitan reality – a reality in
which my actions have an impact on other people around the world. The data collected
from the reports indicates that both HRW and KtK are making use of an understanding
of a cosmopolitan reality in which they are responsible for the well-being of the distant
other. In the reports, this creation of the cosmopolitan reality is closely connected to
the category of transition. The most frequent subcategory that appeared in the material
was that of transition from war to peace. This use of transition was almost exclusively
the only use that could be found in the reports by HRW. HRW and KtK share the
conceptualization of the war as a point of departure or background for creating the
present and the goal of transition. The use of transition in the reports is also a way to
relate the work of the organization to the larger field of TJ, but at the same time keep
the focus on key issues of the organization. The data shows how HRW is constructing
the argument that legal justice is a necessary condition for achieving peace, whilst KtK
is emphasizing the importance of civil society (especially women’s organizations). The
interaction and cooperation with both national, regional and local actors by both HRW
and KtK is also an example of how they organize around this specific issue. Alliances
are then created around human rights and TJ, which makes both HRW and KtK able to
move beyond the (artificial) division between the national and the international. In other
words, they deploy an understanding of the glocal in their creation of the space.

The material further shows how the understanding of the conflict is legitimizing
an intervention by the organization in relation to TJ and peacebuilding. Based on the
material, we can see that HRW is emphasizing the legal aspect of both the war and the
transition to peace in the reports. Human rights are here understood in legal terms, which does not only situate human rights in the universal sphere of global ethics, but in the context of international law as well. International law could then be viewed as the guiding principle of the cosmopolitan reality because it creates a responsibility for protecting the distant other and is legitimizing intervention from foreign actors. This emphasis on the legal dimension of TJ is also one of the major differences between the cosmopolitan reality created by HRW and the one created by KtK. The rationale behind intervention in the reports by KtK is based on the logic or moral imperative of engaging in protecting women’s rights, which could be linked to an idea of a global feminist movement. The data presented in the previous section shows how this intervention is legitimized by the involvement of Bosnian female activists in the production of knowledge. The glocal and cosmopolitan society created in the reports, allows KtK to be a part of this development as the organization is interested in the issue and is representing the concerned part, i.e. Bosnian women. However, the agenda is not set by the victims themselves, but by KtK. This issue will be discussed in relation to representation further down in this analysis.

This is a clear example of the dominating aspect of human rights because it is legitimizing interventions by foreign actors based on the position of the state. BiH is a legit target of intervention in the name of human rights because of the war. The gross violations of human rights that took place during the war becomes the major reason for the continuation of international presence in the space. Both HRW and KtK create a narrative in their reports which portrays the Bosnian people as incapable of reconstructing their society by themselves. Based on the material, it is possible to draw the conclusion that HRW is supporting the transition to peace by establishing facts about human rights violations. This idea of establishing facts can also be linked to the idea of truth as a necessary condition that could be said to be a common perception in the field of TJ. This situates HRW as a legitimate actor in this field, although the organization’s primarily concern is on human rights promotion. Although KtK is not a fact-finding organization, it is still evident that the organization seek to spread knowledge about women’s needs and rights. An interesting aspect of the data is how both organizations are viewing the production of knowledge as one of the most important aspects of their work. This production of knowledge is not only to establish facts about an event, but to lift the victim’s voices. I will discuss this aspect of knowledge production in the second part of this section.
The respect and protection for human rights could be used to measure if the society is “good” or not. The goal with the transition (in this case peace) is the creation of a “good” society, which could be understood as part of a civilizing mission. The importance of restoring law and order in the post-war context was given prominence in the reports by HRW, and was linked to the transition to a liberal democracy as well as peace. I would argue that the data on law and order indicates a view on this issue that can be linked to the civilizing mission; a civilized society is a liberal democracy in which law and order is respected. I also want to point out a missing aspect in the data in relation to this issue, namely the idea of the uncivilized society. Because of the lack of law and order in BiH, the country must be defined as the opposite to civilized: uncivilized. This is not explicitly mentioned in the material, but the idea of the need of legal intervention implies such an understanding of the context. The incapacity to prosecute war criminals is one example of this that can be found in the material. HRW can then perceive itself as having a civilizing mission, and the organization have both the knowledge and the necessary means to influence the transition to the liberal democracy in peace.

The “good” society is most closely linked to the transition from patriarchal structures to gender equality in the reports by KtK. The data shows how KtK is arguing that women’s rights must be viewed as human rights in order to achieve both peace, democracy and gender equality. Human rights are then conceptualized as liberating because human rights can be used by marginalized women to claim the right to equality. The narrative of “white men saving brown women from brown men” can thus be found in the reports by KtK. The link between the creation of space and human rights becomes clear in this discussion as the narrative of transition is legitimizing an intervention to protect the rights of these women. This intervention is also having an economic aspect as KtK is using the creation of a “good” society to legitimate economic interventions as means for achieving the goal that is the liberal democracy. The data, however, indicates an ambivalence in this promotion of economic reforms because women are also perceived as being victims of them. This ambivalence sheds light on how the cosmopolitan reality is related to globalism and the capitalist order. Still, the critique of economic reforms that can be found in the material is constructed to acknowledge the need of women in this structure. In other words, it is no critique of the structure itself.

Although human rights are often conceptualized as individual rights, and to a large extent a liberal invention, the data indicates the necessity of belonging to a group
to have your rights recognized. It was clear how the language of human rights transformed a specific identity, e.g. woman, into a universal claim in the reports by both HRW and KtK. The claim to view women’s rights as human rights is a claim to identify women as human. There is a difference, however, between the organizations in their usage of this claim in the material. HRW is using this claim to erase the difference between men and women, but KtK is using this claim to create a respect for the uniqueness of the female experience. In other words, HRW is arguing in favor of equality based on similarity, whilst KtK is arguing in favor of equality in difference. This difference, however, is only between men and women, and not a difference between women.

The issues of difference and similarity are also addressed in relation to ethnicity. To recreate the multicultural society in BiH was perceived as important by both HRW and KtK. The data showed how both organizations viewed the recreation of the multicultural society as a necessary condition for peace, but there were no references to what a multicultural society is. One interpretation is that the depiction of the multicultural society in the material could be viewed as an ideal type. By this, I mean a society in which the respect for and interaction with the Other is based on universal values, such as human rights and liberal democracy. This is not a recreation of a society as much as it is a creation of a totally new society, but it is in line with the creation of the cosmopolitan reality. The data based on the reports by KtK also indicates an understanding of multiculturalism as the opposite of nationalism. This understanding is linked to the narrative of women as agents of change, and how these women are crossing ethnic borders. The multicultural society could then be understood in the context of cosmopolitanism, but the ambivalence in relation to ethnicity complicates the image of the multicultural society. The issue of ethnic differences is not addressed in the reports by KtK to any large extent. The similarity generated by being a woman is more important than potential differences in experiences caused by ethnic differences. It is even explicitly stated that ethnicity is not a question to be addressed as this might cause divisiveness in the work by and focus of women’s organizations. I would argue that this is one example of the two faces of universalism. Differences must be avoided since they constitute an obstacle to equality between different groups. The category of woman then trumps the category of ethnicity, which could be explained by how gender equality is part of a set of universal values whilst particularities of ethnic groups are not.
To conclude this part, there is a difference in how HRW and KtK is creating the spaces in their reports. The material shows the importance of human rights as a key value in this space although the concept is used in different ways by the two organizations. This indicates that the creation of space is linked to the agenda or the rationale of the organization. It also indicates that the creation of the cosmopolitan reality is an exercise of power by the organization because they can legitimize their own intervention in this space. In the creation of the space they also create a role for themselves. For KtK, this role is to empower women in peacebuilding. For HRW, this role is to establish respect for human rights.

4.2 *Creation of the Other*

The Other is created in the material in relation to the space. One example of this is how HRW and KtK are creating the victim in relation to the three categories human rights, ethnicity and gender. These three categories relate to the construction of the cosmopolitan reality as they relate to a set of values and a narrative about the war. This narrative of the war had an impact on how the transition was conceptualized, but also on how the subjects were created. This is illustrated in how the two organizations are talking about the needs of the victim. The material clearly shows how HRW and KtK are constructing two different understandings of needs in the reports: HRW is referring to needs of victims in legal trials, whilst KtK is referring to needs of women who are defined as victims. These categories may overlap, but are still constituting two different perceptions of victim. One similarity can, however, be found in the data regarding the needs of victim, and that is how all members of the group are sharing the same need. How KtK is using the “female experience” as a defining aspect of the victim is one example of this creation because women are then unable to move beyond this construction of their own subject in the report. They can *only* be women, which, for example, is excluding experiences based on ethnicity, age or sexuality. Although created differently, the same tendency can be found in the reports by HRW. Here, the victims are portrayed as *merely* victims, whether this is a construction in relation to human rights, gender, or ethnicity. These victims are also often portrayed as face-less, and individual stories are only used to illustrate the general experience of the group of victims. Thus, both groups are constructed as homogenous groups in essentialist terms. The use of quotes is then a way to capture “what really happened” and experiences of violations are understood to be a defining part of the group as well as individual. The
conclusion that can be drawn based on the material is how victims’ stories only can be stories about specific violations.

The use of quotes in the reports, together with the larger narrative about violations and post-war reconstruction, is the tool for creating the concept of victim in the reports. A difference between how HRW and KtK are constructing the concept could be seen in the material. HRW often creates the concept of victim in relation to the judicial system, legal treaties, and conventions about human rights. An example of this creation of victims is how HRW is lifting the voices of relatives to missing persons; displaced persons or internal refugees; trafficking victims; and victims of unjust trials. KtK, in contrast, is almost exclusively defining victims as women: they are the victims of rape, domestic violence, or excluded from decision-making processes in politics. The creation of the concept victim is also a creation of differences and similarities. In the reports by KtK, the creation of the female victim becomes a way to emphasize the similarity between victims, activists and the staff at KtK – they can understand the experiences of each other because they are all women. A Swedish woman who have never experienced war is then perceived to be able to understand a Bosnian woman’s experience of war because they share the same gender. I would argue that this is a universalistic claim on similarity which situate the subjects – both victims and the NGO staff – in the space of the cosmopolitan reality.

The question of how subjects are created and understood is also present in the discussion about ethnicity. In comparison to KtK, ethnicity is perceived as a defining aspect of the victim in the reports by HRW. This means that ethnicity is the single-most important factor in constructing the concept of victim. However, an ambivalence in relation to ethnicity can be found in the material which is connected to (the lack of) proximity to the context and the victims. Victims are often categorized by their ethnicity, but that makes them different in comparison to the staff of HRW. This constitutes an obstacle for equality because ethnicity is a clear sign of otherness. Since ethnicity is a defining factor of the war, and thus the experience of the war, it also becomes an essential part of the victim. This is another example of how victims are created in essentialist terms in the material.

It seems to exist a constructed conflict between creating the concept of victim in relation to gender and to other categories in the material by KtK. For KtK, the understanding of gender equality and the meaning that the category of the female victim is filled with reflects the organization’s own view. The understanding of feminism and
what it means to be a woman is the basis for how Bosnian women are understood in the reports. KtK conceptualizes the struggle of women in BiH – perhaps world-wide – as a struggle by a homogenous group. The narrow understanding of feminism excludes both a broader understanding of womanhood in the category of woman as well as the definition of victim in relation to other social categories. To understand feminism in this narrow sense, is to deploy a binary understanding of gender which excludes transgender and queer people. It should be noted that KtK is only mentioning LGBTQ two times in the reports, which is in the years 2014 and 2016. This type of feminism could also be said to be narrow because it excludes aspects such as class and ethnicity. I would argue that this is an illustrating example of how the production of knowledge is in “collusion” with capitalism. Although many of the individuals included in the concept of victim defined by KtK are not benefiting of the economic reforms, these reforms are supported until the year 2016. By only focusing on gender (defined as women) this collusion can stay hidden.

This conflict in the creation of victims can also be found in the material regarding how women who have different experiences than the women from KtK are constructed as inherently different. To begin with, two different groups of women are created in the material: (1) local activists and NGO staff, and (2) non-activist women. This is an example of how some voices are not being heard in this discourse – the voices of victims who lack the necessary means (whether it is education or experience) to speak and to be heard. This is not unique for KtK, but can be found in the reports by HRW as well, but KtK is making a point of their use of local activists in the reports because these activists have special knowledge about the context. In other words, activists can contribute with ethnographic sagacity because they are the experts on the local context.

The creation of the concept of victim is connected to how the victims are represented in the reports. This raises the question if HRW and KtK are “speaking for” or “re-presenting” the victims. I discussed how these two types of representation are often mixed up in the theory section, in which I also argued that NGOs can only engage in the second type of representation. To “speak for” the victim is to raise political claims on behalf of these victims. This is done by KtK in the reports when the topic of inclusion in political decision-making is discussed. Although KtK is taking a clearer political stance in the reports by claiming inclusion of women in politics, the promotion of human rights that is done by HRW cannot be said to be apolitical. This raises the question of the undemocratic character of NGOs. Both HRW and KtK are representing
the victims in a political sense which can be seen in the material in relation to how they define the interests of the victims. However, the victims have no possibility to hold these organizations accountable for their actions, which means that they cannot influence the production of knowledge or the actions by the NGO. To claim the rights of others, whether it is the right to truth or the right to a fair trial, is to actively work for a material change for these persons. It is thus not only a production of knowledge in a discursive sense, but it is a claim to material change as well. The creation of the concept of victim then becomes a way to put pressure on political actors to change the political reality. To talk about the need of change or the need of legal trials by referring to the needs of victims is a way to “speak for” the victims.

The issue of interpretation in the production of knowledge is visible in how the two organizations are giving the massacre of men and boys in Srebrenica different meanings. HRW and KtK agree on the facts, but they interpret these facts in two different ways. Both organizations describe how men and boys were separated from the women and girls, but the interpretation of who is the victim differ. HRW uses Srebrenica as a key example of male suffering, as the men were the victims of lethal violence. KtK, on the other hand, only refers to Srebrenica as an example of female suffering caused by loss of their family members and homes. This can be understood as a way to lift the voices of a forgotten group of victims, i.e. women. Both organizations rely on facts and testimonies when they create the meaning of the event and the concept of victim, but they end up with two different conclusions. This can be explained by how the stories of victims are filtered through the researchers and writers of the reports. It is the staff of the specific NGO who are creating the knowledge because of how the stories are filtered.

But HRW and KtK is not only “speaking for” the victims, they are also “representing” the category. To “re-present” victims is to present the victims’ views in the reports, which is often done through the framing of the issues in the report. One example is how HRW and KtK are constructing the protection of women’s rights in two separate ways. Whilst HRW is referring to the dignity of women, KtK argues that this narrative excludes women from the position of right-holders of human rights. This difference clearly shows how the creation of the victim (and the needs of the victim) is connected to the NGO’s creation of space. HRW’s legal understanding of human rights generates a way of portraying the victims in a legal language, which conflicts with the gender-
orientation deployed by KtK. In other words, the construction of the victim and the representation of the victim is thus dependent on the NGO’s world-view.

The use of quotes by both organizations could be said to be one example of representation, but it is also an example of how these two types of representation are confounded. Both HRW and KtK is seeking the “concrete experience” of the victims, but as they define the concept of victim in different ways these experiences become different from each other. This desire is communicated in different ways in the reports. For HRW, this is to present the experiences of violations in the context of the war and possible experiences of its consequences and legal responses. For KtK, this is to shed light on what has been understood as an especially marginalized experience: the female experience. This, of course, is also related to human rights but as it seeks to situate women’s rights within the paradigm of human rights, it does exclude individuals who are not identified as women in the traditional sense from being defined as a victim. The interpretation of stories told by informants in the reports can be defined as representation because the story is filtered through the NGO staff. This story becomes a part of the larger narrative in the report, which indicates that re-presentation of victims is conditioned by how the NGO is creating their space.

The last question to ask in the analysis is whether any category represented in the reports can be defined as a subaltern. I have already argued that there is a difference between activist and non-activists in the reports. Activists, in comparison to non-activists, are portrayed as having a special knowledge about both victims as a category as well as the field, in the reports by KtK. This is not the case in the reports by HRW, which makes the interpretation of the use of activists both more difficult but also more nuanced. Activists can, however, not be conceptualized as a marginalized group in the material since they are clearly both able to speak and are listened to (at least by the NGOs). This position of activists can be found in the reports by both HRW and KtK. So, are there any groups who are not able to speak in the discourse? I would argue that the voices who do not fit the general narrative of the discourse could be understood as being the subaltern. Rural and uneducated individuals (especially women) and victims of sexual violence are often created as the Other in the reports because of their experiences. One example in the material by HRW is the exclusion of victims who cannot be defined in legal terms, e.g. victims of economic inequalities generated by post-war policies. One striking example of the creation of otherness is KtK’s claim that women cannot vote for nationalist parties without being manipulated since this is not
coherent with world-view of the NGO. In other words, to be a woman and to be a nationalist is not possible in the world of KtK. The characteristic of the Other – the victim as a subaltern – thus continues to be essentially different from the NGO as a subject.
5. Conclusion
The purpose of this thesis has been to analyze the knowledge production by NGOs in order to see how they create the concept of victim in relation to the field of TJ in BiH. This was done by analyzing reports by HRW and KtK, by using qualitative content analysis as the method. The theoretical framework, based on the theories by Gayatri Chakravorty Spivak and Ulrich Beck, was centered around three key concepts: cosmopolitanism, representation, and the subaltern. These key concepts were discussed and constructed with the aim to grasp the theoretical construction of both space and subjects in the reports. To conclude this thesis, I will present the key findings and link them to a broader discussion on knowledge production in the context of TJ.

The first point I would like to raise is how the concept of victim is created in relation to the creation of the space. The space created in the reports generates a value-system and a logic which shapes the understanding of the concept victim. This selection of facts and interpretations of events, creates a narrative about the war and the post-war contexts in which suitable subjects are defined and created as victims. The exclusion of men in the reports by KtK is one example of this, and the identification of victim in relation to international law and legal human rights by HRW is another. To create the victim in relation to the space is also a way to legitimize the work by the NGO. The material showed how both HRW and KtK refer to the created victim to show the need of the suffering distant Other. The creation of the victim in relation to the space is also a way for the NGO to legitimize its own existence and agenda. Since both HRW and KtK are present in other countries, a comparative study between different contexts would be able to analyze the distinctiveness of the specific context as well as more general tendencies in the field of TJ. This type of study could also indicate shifts and trends in the discourse over time, which is of importance in relation to the knowledge production and the struggle over meaning.

The second point is about the difference in descriptions of activist and non-activist victims in the material. Although this was more common in the reports by KtK, a few instances could be found in the reports by HRW as well. The use of activists can be understood in terms of the “antre” – a dominant indigenous group created by the imperial power. In this case, this means that activists are created by actors who perceive themselves as to be part of the international community to achieve the goal of transition. This claim is supported by the previous research on the reconstruction of the Bosnian civil society in the post-war context. The activists can work as a link between the NGO
and the victims, and this position gives them the power to represent the victims. The reference to the knowledge possessed by Bosnian activists in the material by KtK is one example of this. To analyze the relations between different NGOs and activists, a network analysis would be able to investigate different actors and their positions in more detail. To analyze the network is also a way to analyze the positions and power held by NGOs and actors related to the organizations. The common use of activists by NGOs also means that the non-activist victims are often not being heard in the reports. This silence can also be analyzed by doing interviews with non-activist victims based on a participatory research design, which gives the interviewee influence over the process. This can result in different stories than those constructed by the dominant party. The distinction between activist and non-activist victim is related to the issue of representation which leads us to the last key finding.

The third point to highlight is the issue of representation. Both HRW and KtK emphasized the importance of lifting the voices of marginalized groups, i.e. victims, but the question is who they are representing in their reports. This is not only an issue about the two forms of representation specifically, but a matter of whose stories are being told in general. The use of local activists as representatives of local victims means that the voices in the material belong to people who come from a middle-class, urban NGO-elite. An analysis of local NGOs and activists would thus be interesting because it could give a deeper understanding of their role in the production of knowledge. I would also argue that this study should include an analysis of how these organizations represent victims in their work, and if this has an undemocratic aspect as was argued in this thesis.

Spivak’s claim that the subaltern should not only be understood as a class, but also as a category defined in relation to ethnicity, nationality, and gender, is supported by the empirical findings in this thesis. The creation of the Other – in this case the concept of victim – is also a construction of the Other’s ethnicity and gender – and these different subject positions are interconnected. Class, and the theoretical understanding of economic dominance that follows, is not unimportant in the analysis of the creation of victim in the field of TJ. The findings on how HRW and KtK is creating their own cosmopolitan reality is showing this link between the production of knowledge and capitalism. In other words, NGOs seem to be in collusion with the global economic system in their production of knowledge. It could be argued that this is the logic of the structure because NGOs are dependent on the funding of other agents. Hence, they are
competing over resources in the market which constitutes the field of TJ and peacebuilding, which forces them to adapt to the capitalist order and to produce knowledge accordingly. The material dimension of knowledge production was beyond the scope of this thesis, but it should be considered a topic for future research. The material dimension is exceptionally important to investigate if we want to analyze the liberal paradigm of TJ and peacebuilding from a critical research perspective. In other words, the inter-relationship between knowledge production and capitalist interests should be analyzed in more detail.

The question then is what implications these findings have on the larger field of TJ. To begin with, the findings in this thesis are not only relevant in relation to research on knowledge production by NGOs, but for research on knowledge production by other actors as well. Since the concepts of truth and justice are central in the discourse, the production of knowledge must be considered an integral part of the process. Justice is often perceived to derive from the establishment of facts and the truth, which raises the question of whose truth it is that we tell. Based on the findings in this thesis, the truth being told might be the truth of NGOs or powerful actors and within the group of victims. In other words, future research on the area must incorporate an analysis of the nexus between knowledge and power. Here, I want to stress how the findings in this thesis indicate the importance of analyzing silences in stories. Victims of genocide and mass violence are silenced by definition, or attempted to be silenced, and this thesis sheds light on the importance of analyzing representation from a critical perspective. This is also relevant for the production of academic knowledge in this field because it raises the question of how we construct and represent victims in our own studies.

The answer to the question asked in the title – whose stories do they tell? – is that the NGOs are telling their own story. They select who should be quoted in the report and they interpret the stories that their informants tell. The creation of victim and the narrative is made in relation to the specific cosmopolitan reality, which means that the production of knowledge is always made by the NGO in the reports. Based on the results of this thesis their claim to be speaking on behalf of the victim should be critically examined.
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