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Turning International Intervention into Domestic Cooperation in Post-War Societies

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ABSTRACT

International intervention is widely considered to stabilize peace in post-war societies. Its effects on democracy are more contested. External intervention risks reinforcing, rather than resolving deadlocks in domestic politics. This negative effect is not inevitable. This article proposes a new, theoretical model of political peacebuilding, based on a spatial model of politics in post-war democracies. In the classical model, the peacebuilding mission has an own political agenda, which relieves the domestic political actors of their political responsibility and deepens the domestic deadlock. In the arbiter model proposed in this article, the peacebuilding mission uses its powers to push for compromises between the domestic actors. This enables democratic decision-making within the domestic institutions. Empirically, the paper studies the impact of the Office of the High Representative (OHR) in Bosnia–Herzegovina with its power to issue binding decrees. The paper analyses the role of former High Representatives, using the authors' original interviews with the office-holders and over 2700 press releases. As the results show, periods when the OHR acted as an arbiter were rewarded with a higher degree of cooperation between domestic elites. These findings corroborate the usefulness of the arbiter model as a new strategy of international intervention in post-conflict societies.

1. Introduction

There is a broad consensus that international interventions in post-war societies contribute to peace and stability by providing security guarantees.[1] However, the credentials of international intervention are more mixed with regards to the success of supporting democratisation.[2] While the establishment

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[1]Papagianni, Power Sharing.
[2]Walter, *Barrier*; Zürcher et al., *Costly Democracy*, 57–81.

of democracy is not necessarily explicitly included in the mandates of peacebuilding operations, it is clear that democracy is often seen as the ultimate guarantor of peace and stability.[3] Only two out of 19 international peacebuilding operations launched since 1989 have resulted in liberal democratic regimes, while only seven led to the establishment of democracy.[4]

After civil wars, the establishment of democracy faces several challenges. In a context of deep political divides and a lack of trust between previously belligerent groups, minorities will seek protection against unconstrained rule by the majority. Institutional veto rights protect minorities from such unconstrained rule, but often induce political blockages. *International* intervention can alter this delicate balance: political prerogatives of international actors can serve as a guarantee that the rights of all groups in society are respected. As exemplified by the cases of Bosnia and Herzegovina, Kosovo, Iraq, Afghanistan, and, in a somewhat different form, Macedonia, Lebanon and Northern Ireland, external involvement has become the rule rather than the exception in post-war power-sharing systems.[5] However, the literature has warned that political prerogatives for external actors shift the problem, rather than resolving it: Domestic elites will be even less willing to agree in politically non-rewarding potential compromises and instead shift both the responsibility and the blame for decisions to the international agents. Thus, political prerogatives for international actors to intervene in domestic politics risk hardening domestic political blockages, and thereby undermine the consolidation of democracy.

Against this background, this paper proposes a new strategy for international involvement oriented towards the consolidation of democratic procedures. Recognizing that not all external interventions are equal, this article addresses the role of external actors in the peacebuilding process, and how they affect domestic politics. If political peacebuilding missions substitute dysfunctional domestic institutions, and assume governmental responsibility, they do indeed undermine the establishment of democracy. Instead, international intervention can act as an arbiter between domestic elites, and prioritize decision-making within the democratic institutions. This might offer a solution to both risks – the tyranny of the majority group and the risk of deadlocks. For the consolidation of democracy, the acceptance of the democratic framework as the only place where the formerly warring parties settle their political differences is crucial. Using spatial models of politics, we distinguish three ideal-type modes of behaviour for external actors and discuss the effects each mode has on the consolidation of domestic political institutions.

In order to corroborate this theoretical argument, we perform a case study of post-war Bosnia and Herzegovina, where the Office of the High

[3]Wolff, *Managing Ethno-National Conflict: Towards an Analytical Framework*; Donais, *Local Ownership*.
[4]Zürcher et al., Costly Democracy, 2.
[5]McGarry and O'Leary, *Consociational Theory 1*, 48–54; Taylor, *Introduction*, 7; Kerr, *Imposing*; Zahar, *Lebanon*; Légaré, *Transnational State-Building*.

Representative (OHR) represents a proto-typical institution for external intervention in a power-sharing system. The empirical analysis capitalizes on a new dataset of over 2700 OHR press releases in the period of 1997–2013, out of which over 500 are related to direct interventions. Domestic elite cooperation is assessed through an examination of group-based veto power usage in the parliament of Bosnia and Herzegovina. To deal with potential reverse effects, i.e. domestic cooperation affecting the mode of international intervention, we analyse qualitative data to explain changes in the modes of international intervention over time, including in-depth interviews with former High Representatives for Bosnia–Herzegovina and further documents.

The paper proceeds in three sections. First, we offer a closer look at the relationship between international intervention and power-sharing systems (Section 2). Then, we introduce the spatial models of politics and simulations (Section 3) to derive hypotheses which are subsequently assessed on the case of Bosnia and Herzegovina (Section 4). In the conclusion, we seek to provide recommendations for international peacebuilding missions.

2. Political peacebuilding

International peacebuilding missions seek to stabilize countries after conflicts, building on multiple instruments.[6] The political pillar usually aims at an inclusive and democratic political order.[7] In the process of establishing democracy, international actors perform a dual function: on the one hand, they are increasingly involved in setting up the post-conflict constitutional order. On the other hand, international peacebuilding may contribute towards the consolidation of democracy, i.e. making the political system work in a way that ensures meaningful outcomes as a result of democratic processes accepted by all domestic political actors.

While external intervention reduces the risk of renewed conflict in a post-conflict society,[8] there is no consensus in the literature on its effect on political processes. While some studies claim that external intervention will lead to little or no improvement in terms of democratisation, or that large numbers of peacekeeping forces do not produce higher levels of democracy, others find a positive effect of UN operations on post-civil war transitions to democracy, often mitigated by the general power configurations.[9] In particular, the literature has only marginally studied external interactions with domestic actors and their effects on domestic politics, apart from the assertion

[6]Doyle and Sambanis, International Peacebuilding, 781–2.
[7]Rothchild and Roeder, *Dilemmas*; O'Leary, *Debating*, 33; Zürcher et al., *Costly Democracy*, 4.
[8]Walter, *Barrier*; Doyle and Sambanis, *International Peacebuilding*; Hartzell, Hoddie, and Rothchild, *Stabilizing*; Fortna and Howard, *Pitfalls*.
[9]Bueno de Mesquita and Downs, *Intervention*; Gurses and Mason, *Anarchy*; Heldt, *Transitions*; Metternich, *Expecting Elections*; Bermeo, *Democracy Assistance*; Fortna and Huang, *Democratization*.

that local ownership of the political process is seen as key to sustainable democracy and peace.[10] Some studies show that questions of transitional administrations and their effects on democratisation lead to inconclusive results and are therefore seldom analysed in detail.[11]

Political intervention of external actors in post-war societies needs to deal with two major political risks of post-conflict democracies: the tyranny of the majority and the risk of deadlocks. First, in order to avoid the threat of a permanent dominance by the majority, the international community has actively and consciously pushed for the introduction of power-sharing arrangements. Apart from grand coalitions, proportional representation, and autonomy rights,[12] group-specific veto rights are central in most post-conflict power-sharing settlements.[13]

Second, while decision-making requires the cooperation of all political elites, the readiness to cooperate might be absent after violent conflicts, leading to political deadlocks.[14] This risks rendering the state dysfunctional and might even endanger peace itself. While external political intervention can be used to circumvent domestic blockages, the literature argues that it risks reinforcing the political deadlock.

The political mandates of peacebuilding missions, i.e. their prerogatives to intervene, may range between the assumption of full executive or legislative authority over the state administration, i.e. a temporary suspension of sovereignty and democracy, and less absolute forms of influencing domestic political processes.[15] While some authors suggest that democratisation should be delayed until domestic institutions are fully built,[16] most of the literature is concerned with the fact that this entails a shift of political responsibility from domestic actors to the international community.[17] External interference in domestic politics can accelerate processes of polarization and non-cooperation among domestic elites.[18]

Most peacebuilding missions are therefore restricted by their political mandate to the role of building civil society and perhaps assisting with some processes of democracy (e.g. election observation).[19] For Brendan O'Leary, 'the ideal role for outsiders is as voluntarily agreed balancers who play the welcome role of positive support for a power-sharing system,

[10]Donais, *Local Ownership*.
[11]Fortna and Howard, *Pitfalls*, 294; Barnett, Fang, and Zürcher, *Compromised Peacebuilding*.
[12]Lijphart, *India*.
[13]Ram and Strøm, *Mutual Veto*, 344.
Analysing 75 peace agreements between 1989 and 2008, Martin (Martin, *Coming Together*.) concludes that 43 of them include minority veto provisions, while 68 include some form of political power sharing. Hoddie and Hartzell (Hoddie and Hartzell, *Initiating*, 88.) find that out of 38 civil conflicts ending between 1945 and 1998, 30 settlements include central power-sharing institutions.
[14]McEvoy, *We Forbid!*
[15]Kosovo and East Timor are the main examples for the suspension of domestic sovereignty. Chopra, *East Timor*; Paris, *At War's End*, 213–8.
[16]Snyder, *Voting*; Paris, *At War's End*, 156–211.
[17]Fortna, *Peacekeeping*; Zürcher et al., *Costly Democracy*, 57–81.
[18]See the different articles in Petritsch and Solioz, *Ownership*; Marten, *Enforcing*.
[19]Overview: Dobbins et al., *America*; Dobbins et al., *Europe*. De Zeeuw, *Projects*.

mediate differences that arise upon request, and arbitrate only when asked to do so'.[20] We amend the literature on international intervention in the post-conflict phase by extending the discussion from the question of whether or not international actors should intervene, to how such intervention should look in order to sustain the consolidation of democracy.

3. Models

In this section, we discuss different modes of international peacebuilding affecting the behaviour of domestic political elites in post-war polities. We contribute to a literature that investigates the interaction between international peacebuilding missions and domestic actors using game-theoretical models and simulations. The model proposed in this article fundamentally differs from other work: Earlier contributions were based on games where international actors and domestic actors negotiate about the level of democracy, under the latent threat of recurrent war, and/or in light of corruption and the extraction of economic benefits.[21]

Our model sets in at a later stage: the democratic actors have accepted democratic rules, and the capacity of the international community to secure peace and stability is uncontested. The model only investigates *political* intervention by the international community and *political* cooperation of the domestic actors within the constitutional institutions, when there is no more military threat from the domestic actors. The model in this article addresses the 'ownership dilemma': do political interventions by the international community strengthen democratic decision-making in domestic institutions, or do they rather undermine the democratic process? The acceptance of the political institutions and the capacity to reach political solutions within that institutional framework are *the* key conditions for the consolidation of democracy.

Our model relates a country, in which politics is polarized between three groups,[22] with each group having the power to use an institutional veto to block decision-making – a frequent feature in post-conflict regimes.[23] Hence, decision-making requires a compromise between the set of group elites

[20]O'Leary, *Advocate*, 399.

[21]Wantchekon, *Paradox*; Narten and Zürcher, *Peacebuilding Is Interaction*; Barnett, Fang, and Zürcher, *Compromised Peacebuilding*; Zürcher, *A Theory of Democratisation through Peace-Building*.

[22]Conflicts often contain multiple armed groups fighting the state and/or each other, and they are subsequently included in power-sharing agreements. The model can be amended for additional groups. Cunningham, Who Should Be at the Table? Veto Players and Peace Processes in Civil War.

[23]We use the designations A, B, and C to describe the holder of the pivotal vote in each of the groups. Whether this is the median MP of the group (if the veto is expressed by a majority of the group MPs) or a different player depends on the veto rules. In an issue space with two or more dimensions, the pivotal voter is not necessarily the same for different propositions. We follow Tsebelis' argument, according to which the assumption of a fixed veto player is 'approximately' correct. This is particularly plausible if the MPs who together form a veto group share similar positions on a contentious issue; typical for ethnically divided societies.
Tsebelis, *Veto Players*, 155–6.

holding veto powers to block decisions. If domestic actors alone decide policies, and if there is at least one potential reform proposal, which the veto players prefer over the status quo, they will identify this proposal, and agree on it, provided they are informed about each other's preferences. In heavily polarized policy areas, there usually will be no such mutually agreeable proposal, while in less polarized policy fields, space for consensual reform will exist.

The presence of an international peacebuilding mission (IPB) with prerogatives to impose laws will affect the calculus of domestic elites involved in legislation processes. In our model both domestic and international actors share legislative power. The peacebuilding mission can pass its own version of the legislation if the domestic actors fail to agree on a reform.[24] We assume that they are informed about the preferences and the possible space of decisions of other domestic elites, as well as about the political agenda of the peacebuilding mission, and its mode of intervention. Three modes of behaviour for the IPB are formalised in the subsequent models and simulated, starting with the *agenda model*, where the IPB is oriented at policy-goals, followed by the *passive model* with a non-intervening IPB, and the *arbiter model*, with a process-oriented IPB.

All three models are based on a multi-dimensional space with continuous dimensions X and Y, meaning that there is a variety of possible outcomes. The players (and, depending on the model, also the IPB) all possess a clear outcome preference, i.e. an ideal position depicted as a point in this space and labelled A, B, and C. Consistent with the literature on ethnic outbidding and centrifugal tendencies in divided post-war electoral competition, we assume that in divided societies, electoral competitors can mobilize votes based on strategies of ethnopolitical radicalization, whereas compromises across ethnic lines weaken nationalist credentials, and produce costs, labelled c_A, c_B, c_C.[25] Domestic actors avoid these costs if they let the peacebuilding mission decide on their behalf.[26]

3.1. Agenda model

We start formalising a model, in which the international peacebuilding body (IPB) follows its own policy agenda when intervening in the domestic policy process. We address the IPB's ideal policy solution as p_{IPB}.

In all our models, the domestic players first try to reach a compromise by themselves. A compromise is successful if it can pass though the domestic

[24]Stronger competencies, where the international community has full legislative power or – substantially equal competences – the right to overrule any decisions of the domestic institutions, are conceivable. Under the agenda model of intervention, this would result in domestic elites not engaging in negotiations, and a complete blockage of the domestic institutions. The other two models remain unaltered.
[25]Horowitz, *Ethnic Groups*; Mitchell, Evans, and O'Leary, *Outbidding*; Bochsler, *Radicalizing*.
[26]Belloni, *European Integration*, 316.

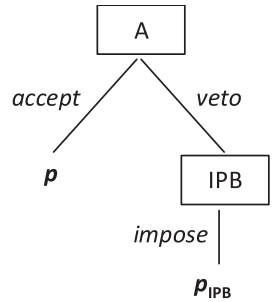

Figure 1. Decision tree of player A in a game, where international peacebuilding mission (IPB) has an own policy agenda.

institutions, i.e. it has to be approved by all three veto players of groups A, B, and C. If no such compromise is found in the first round, i.e. if at least one of the three veto players disagrees and vetoes a proposal, the process passes to the second round; here, the IPB uses its power to impose a solution. In the agenda model, this will be the IPB's ideal policy solution (Figure 1).

When deciding on a course of action, domestic actors A, B, and C anticipate the possible IPB intervention and are informed about its ideal policy. Hence, they will weigh a proposition discussed among domestic actors, P, against the potential IPB decree. If they let the IPB decide its reform, they can avoid domestic audience costs c_A, $c_{B,}$, c_C.

This leads to a space of acceptable solutions, for which the utility for each player will be larger or equal to the policy preferred by the peacebuilding mission (see appendix 1 for a formal solution). For veto player A, this results to be circle around A, with radius |A-IPB|-c_A, and an analogous for B and C (see Figure 2).

Whether the three domestic veto players will compromise depends on their preferences relative to the peacebuilding mission's ideal policy, and on their domestic audience costs. For the agenda model (and the passive model, see below), the solution can be established mathematically. The results of these simulations are presented in Figure 3(a–c) – the agenda model being in the left panels.

We take a two-dimensional policy space, with each of the two dimensions delimited by −10 and + 10, with 0 as the Status Quo (see games for the single-dimensional space in the supplementary material, section 2, available online). We assign the domestic actors A, B, and C, as well as the international actor IPB positions in this space, and assign them decision-making costs. In Figure 3(a), the domestic players B and C differ considerably in their preferences, and are far from the IPB's agenda, whereas the decision-making costs are low. We move the position of player A over the space, and mark all positions, where A, B, and C can find a policy compromise in blue. Essentially, the

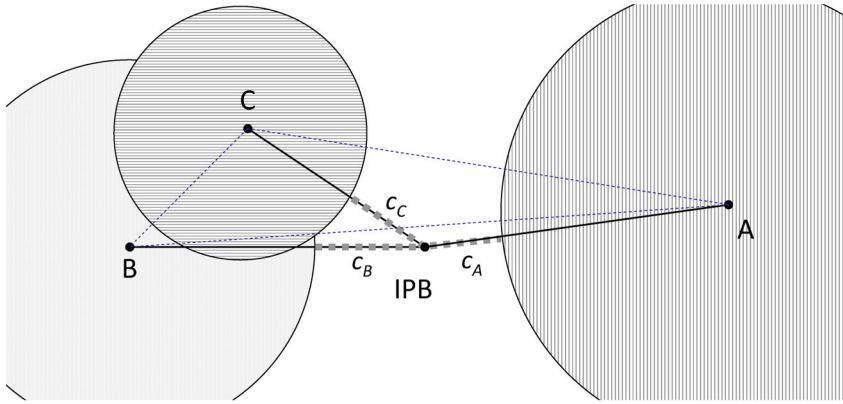

Figure 2. IPB with policy agenda.

domestic players will compromise if their preferences are located in the same part of the space, and when this is (relatively) far from the IPB, in relation to the decision-making costs (see appendix for a formal discussion).

In Figure 3(b and c), we introduce situations in which the IPB has a similar position as player A, and where the costs of compromise are low.[27]

3.2. Passive model

The second investigated mode of intervention is the passive model – understood as non-intervention by the international peacebuilding agent. Mathematically, the model is a special case of the agenda model, where the favourite policy of the peacebuilding mission is equal to the Status Quo. Simulation results are displayed in the middle panels of Figure 3(a–c). As long as the players are located on opposite sides of the Status Quo (e.g. Figure 3(a and b)), any proposition will be vetoed. Only once they are located on the same side (Figure 3(c)) do compromises become possible, although higher decision-making costs make them more difficult.

In the agenda and the passive model, the cooperation of the domestic veto-players depends on the degree to which their positions are polarized in a particular policy field, as well as on the location of the domestic actors and the IPB with regards to the Status Quo. In both models, high domestic polarization will hinder cooperation. In each of the two models, the actors' constellations conducive to cooperation are different: in the agenda model, it occurs under low polarization, in policy fields where they want a different policy from the IPB. In the passive model, it emerges under low polarization and

[27]A further variation of this game occurs when domestic actors have only limited information about the international peacebuilding body's policy preferences. This slightly increases the cooperation of the domestic actors. We document the solution in the supplementary materials.

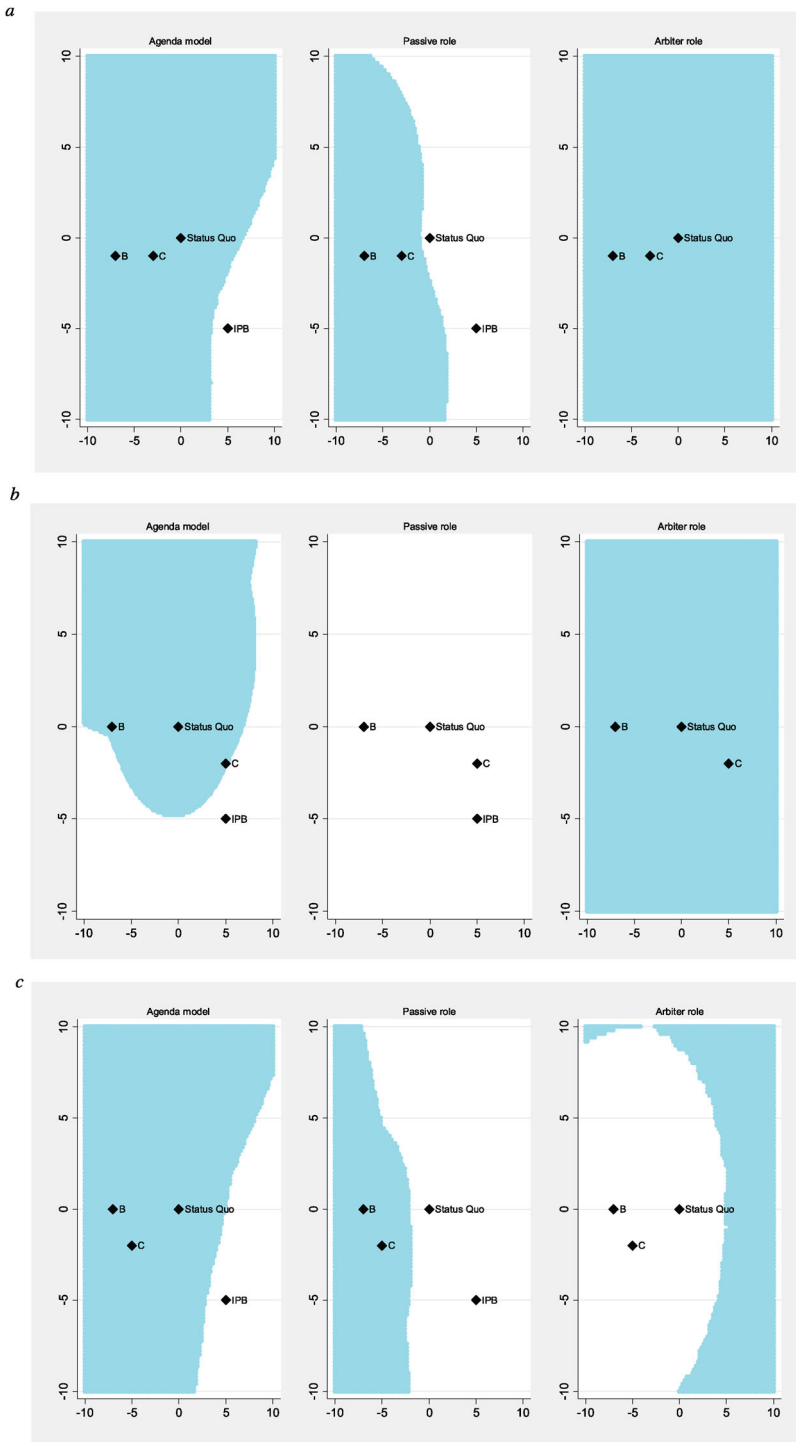

Figure 3. (a) IPB distant from players B and C, low decision-making costs; (b) IPB close to player C, low decision-making costs and (c) *Players B and C close to each other, IPB distant, high decision-making costs*.

where all actors agree on the need for reforms. High domestic audience costs reduce cooperation.

While the previous literature has primarily focused on issues, where both domestic and international actors agree on the need of a reform (but shift the responsibility therefore to the internationals), the consideration of a large range set of constellations of actors' preferences shows that neither the passive nor the agenda will systematically lead to substantial differences in terms of achieving domestic cooperation, if the preference constellations vary between issues. As both arguments are tested in the subsequent empirical analysis, we state both expectations as hypotheses.

H1a (from previous literature): International peacebuilding missions making issue decisions based on an own political agenda will undermine the capacity of domestic institutions to function autonomously, i.e. it will undermine the capacity to pass reforms compared to a model of non-intervention.

H1b (from game theory): International peacebuilding missions pursing an agenda-based approach of intervention will not systematically alter the chances of domestic compromises, i.e. it will **not** alter the capacity to pass reforms compared to the passive model (non-intervention).

3.3. Arbiter model

In our third model, the international peacebuilding mission prioritizes supporting the domestic decision-making, and abstains from using its decree power to impose its own policy goals. The IPB acts as an arbiter between the domestic veto players. It monitors the negotiation process closely and subsequently offers its support to push the agreement between the veto players through the institutional decision-making process. In the case of blockages, it uses its decree power. The domestic decision-making process is blocked if one or several players leave the negotiation table, as each of them has the power to veto the decision in the domestic institutions. Players unwilling to compromise thus have the potential to blackmail others, which the IPB, acting as an arbiter, may eliminate. In cases where one or several veto players leave(s) the negotiations, the IPB can continue the discussions with the remaining player(s) and subsequently circumvent domestic vetoes, by decreeing the policy the remaining player(s) agreed on in the negotiations (formal notation in appendix 1.3).

An exemplary case is shown in Figure 4: if any of the domestic veto players blocks a solution, the other domestic veto players will agree on a compromise among themselves, and the IPB will decree this compromise. Accordingly, actors will play the veto card only if they are better off by solutions, which will be picked by the other, remaining actors. E.g. if player B leaves the negotiations, the reform will be negotiated by C and A, and will be on the line connecting the ideal points C and A, on the section within the circles defined by

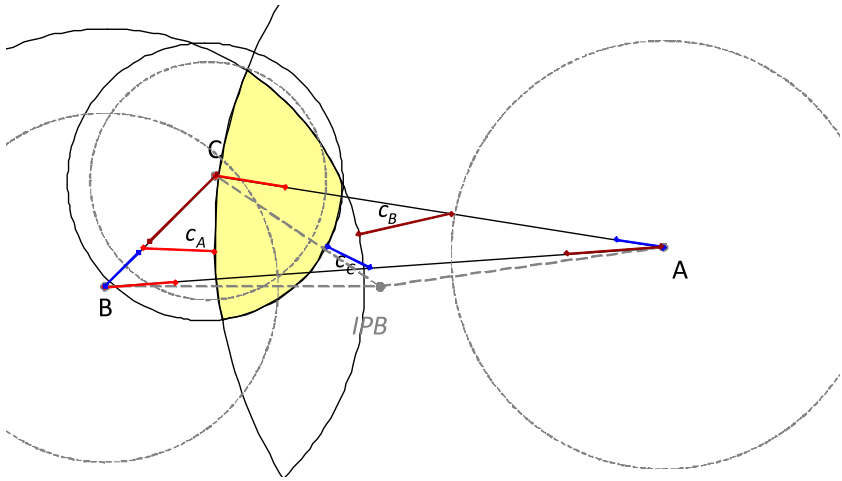

Figure 4. Win-set with IPB as an arbiter.

(A, d_{CB}-c_A) and (C, d_{CA}-c_C).[28] In Figure 4, we show the space of solutions acceptable to B by a large bold circle around B's ideal point. Compared to the agenda model (Figure 2, or dotted inner circles in Figure 4), the space of acceptable solutions has increased for each of the three domestic actors. The space of compromise of the three players under the arbiter model is marked in yellow in Figure 4.[29]

Lacking a mathematical solution for the universe of cases, we run simulations to establish the consequences of the arbiter model. The simulation results are presented in the right panels of Figure 3(a–c): Under the arbiter model, and when there are low decision costs (Figure 3(a and b)), the domestic players do not resort to using their veto, regardless of their respective position. Compared to the agenda model and the passive model, the arbiter model has a more positive effect on domestic cooperation, provided the decision-making costs are low. The picture is more nuanced in the case of high decision-making costs (Figure 3(c), right panel): if the domestic veto players share fairly similar positions but high costs of compromises, they prefer shifting the political responsibility and the decision to the others, and no compromise will result.[30] In all other situations, the arbiter model is either equally or better suited than the agenda or the passive model to encourage cooperation among the domestic elites.

[28]For our simulation, we assume that it is the middle point of this section (and in analogy for other pairings of domestic actors).

[29]However: a veto player whose position will be close to the centre of the line connecting the positions of the two other veto players, will be able to impose a solution which is very close to his preferred policy. He will therefore only make very small concessions – often they will be smaller than in the agenda model.

[30]The latter case looks paradoxical. It emerges because, given similar preferences, veto players might prefer shifting the responsibility to compromise to other veto players, so as not to not to bear its costs.

H2: An arbiter-type strategy of international intervention by the IPB will (in most situations) lead to domestic compromises, even if, under the agenda or the passive model, the domestic decision-making process would be blocked.

3.4. Four clarifications

Firstly, unlike majority-based decisions, which in divided societies risk permanently excluding minorities and fuelling renewed conflict, the arbiter model ensures all communal groups an equal impact in decision-making, while avoiding political blockages. It maintains veto rights, without resorting to simple majority rule (or rather: rule by two groups). However, as opposed to a power-sharing solution with veto-rights, the arbiter intervenes if one of the veto players does not seek to compromise.

Secondly, to achieve a negotiated solution, the arbiter needs to be capable of identifying tactical behaviour and counteracting such tendencies. Such tactics include either the formation of a majority alliance (here: out of two groups), the marginalization of one group in the decision-making process, or tactical positioning, all of which make reaching compromises more difficult and move the joint win-set towards the tactical player's position. Our empirical analysis (discussed in next section) shows that international peacebuilding missions are capable to identify strategic action.[31]

Thirdly, the international body might limit domestic decision-making by imposing red lines, i.e. by defining a space of acceptable solutions, and by not supporting decisions outside this space. These red lines might constitute principles of the peace agreement, of international law, or aspects of minority protection.

Fourthly, with further amendments, the model can deal with domestic or externally imposed limits to the intervention, e.g. if one of the domestic players threatens to return to war.[32] The present model sets in when the peacebuilding mission guarantees stability, i.e. there is no threat of war, so that military threat through the previous war parties is considered irrelevant, and do not limit the decision-making powers of the peacebuilding mission.

4. Empirical analysis

4.1. Case selection

While international interventions in post-war countries are frequent, there is only rarely a systematic documentation of when and how peacebuilding

[31]In the case of the OHR in Bosnia and Herzegovina, the former High Representative Christian Schwarz-Schilling, for example, mentions that bilateral discussions with the different group leaders were much more frank than common discussions when all leaders were present and the different actors felt compelled to mark their political strength. (Schwarz-Schilling, *Interview*.)

[32]Usually, political post-war settlements operate within the context of a larger security infrastructure provided by international actors, which may be used to prevent domestic threats of war from being actually implemented.

intervene in domestic policy-making, except for the case of post-war Bosnia and Herzegovina. In this section, we analyse data about the interventions by the Office of the High Representative to Bosnia and Herzegovina (OHR) to substantiate the game theoretical models and to offer a rudimentary first test of our expectations, using both quantitative and qualitative data. The OHR is the international body, which has the mandate to assist the consolidation of Bosnian democracy, and (as of 1997) the formal power to impose domestic laws. All usages of this power are documented and publicly available, allowing for a systematic empirical analysis.

The institutional setup of Bosnia and Herzegovina has many typical properties of post-conflict power-sharing setups, with both power-sharing and institutional veto powers for the three main ('constituent') groups, Bosniaks, Serbs, Croats, and external involvement. The OHR performs the function of the international peacebuilding mission equipped with decree powers, known as Bonn powers. Legally, the OHR may (a) impose a 'temporary' law if Bosnia's legislative bodies fail to come to an agreement by themselves; (b) impose a law if deemed necessary for the smooth running of the country; and (c) dismiss public officials from their posts if they fail to live up to the responsibilities of their office or violate the peace agreement.[33] Concretely, this means that the OHR can impose laws or take legally binding decisions it sees fit without any possibility for the domestic political structures to challenge such impositions. The OHR's political strategy is thereby determined by the Peace Implementation Council and the Steering Board, although we consider them here as a single actor, and address them further as OHR.[34] These Bonn powers have been criticized for obstructing domestic ownership[35] and contributing to blockades in domestic politics.[36] What is more, practically speaking, the OHR becomes a domestic political actor equipped with broader powers than the domestic politicians, creating, as Paddy Ashdown explains, 'the temptation … to use the powers to get things done quickly': 'I always used to ask: if I do this, is the advantage of getting things done quickly worth the price I have to pay, which is creating dependencies within the structure? Perfectly fair argument.'[37]

[33]Peace Implementation Council, *Bonn*.

[34]Can international actors be treated as unified actors in terms of agenda-setting and strategic behaviour, for they often constitute an amalgam of different international institutions, states, or other such representatives? In our model, if the political prerogatives are concentrated in a single decision-maker, i.e. the person holding the office at any particular time, the international community, despite internal differences, acts as a solitary and, more importantly, decisive actor.
In the BiH case, our qualitative study clearly shows that the agenda, the strategy, and its execution were all based on a broadly supported consensus among all external actors involved. The OHR policy priorities were at no time substantially undermined by any other international actor part of OHR institutional setup. Internal rifts, when they existed, had practically no consequences on the OHR's ability to perform its duties in the time under consideration in this article.

[35]Caplan, *Partner or Patron*; Donais, *Local Ownership*, 78.

[36]Belloni, *European Integration*; Keil and Kudlenko, *Bosnia*, 482–3.

[37]Ashdown, *Personal Interview*.

Our systematic analysis reveals considerable variance in the OHR's mode of intervention over time, which we exploit to assess the cooperation of the domestic elites under different types of intervention.

4.2. Data and methodology

To systematically assess the international intervention, we have compiled a new dataset covering all OHR decisions between the introduction of the Bonn powers in 1997 and 2013. We have coded all 2730 press releases issued by the OHR in this period, out of which 554 were related to Bonn power decisions (details about coding and the aggregation of the information may be found in section 3 of the online supplementary material). The press releases provide us with a systematic measure of how the OHR explained its decisions to the public in Bosnia and Herzegovina. While they only reflect a selective set of considerations upon which the OHR bases its decisions, this is the source of information available to the political elites, and to the citizens to whom the elites are accountable. We distinguish between substantial (agenda-related) and procedural (arbiter-model-related) justifications used to explain a particular decree or highlight specific aspects of a particular decision. 92% of the press releases contain one or several statements in line with our categories.

Being concerned with possible issues of endogeneity, we have further analysed why and how the OHR altered its mode of intervention over time. While our quantitative data only allows for a very limited analysis (see supplementary material, table A6), we have gathered information on the changing modes of intervention through interviews with former High Representatives and domestic political leaders,[38] as well as from secondary sources. The empirical section offers a brief discussion thereof; for a more extensive version, see section 4.5 of the supplementary materials.

Our dependent variable addresses the cooperation of the domestic players – Bosniaks, Serbs, and Croats –, measured by the success of the domestic institutions in passing legislation. We count the number of bills passed by the national parliament (i.e. not imposed by the OHR), on a yearly basis (supplementary materials, section 3).[39] While this is a relatively rough indicator, it allows us to compare law-making across different fields, and it is used in the analysis of parliamentary processes in comparative work.[40] In the Bosnian public discourse, the stalemate in legislation is frequently referred to as an indicator of the political blockages. The limited number of years

[38]Merdzanovic, *Democracy by Decree*.
[39]We use the absolute number of successful bills (rather than the relative number compared to all bills proceeded by parliament), in order to consider possible agenda-setting effects, and indirect effects, i.e. the possibility that bills are not introduced to parliament due to an anticipated blockage.
[40]Döring, *Parliaments*; Kreppel, *Legislative Output*.

allows for a rough assessment of our theoretical argument, relying on probabilistic models; though the following subsections, as well as section 4.2 in the supplementary materials, also discuss the limits of this analysis.

While systematic information on the actors' positions on each issue is not available, we control for the degree of polarization between the actors (domestic and international) at a yearly basis (see supplementary materials, section 4.3). The positioning of the domestic and international actors should affect the success of decision-making processes according to our model.

4.3. Results

In this section, we address the effects of the different modes of political peacebuilding on domestic cooperation, and discuss their historical context in the case of Bosnia and Herzegovina, our measurement strategy, and the quantitative tests of the hypotheses related to our three models: the agenda model, the passive role, and the arbiter model.

4.3.1. Agenda model

Throughout the post-war period in Bosnia and Herzegovina, the international community pushed a clear political agenda. Clearly communicated to all domestic players, its goals included: reconstructing the country; establishing and stabilizing the political system, democracy, and the rule of law; ensuring the return of refugees; capturing war criminals; and, later on, pushing for Euro-Atlantic integration. To implement this agenda, the OHR would often impose its own policy preferences if the domestic players failed to reach political compromises, as described by our agenda model. In fact, such behaviour was precisely what the designers of the Bonn powers had in mind when they originally conceived of the instrument: to overcome domestic stalemates and 'introduce a method by which the High Representative could take these decisions'.[41]

The citizenship law, the first law ever to be imposed, closely corresponds to our agenda model. Initiated by the international community and put before the parliament, the law gave the competencies for awarding Bosnian citizenship to the central state. This was not uncontested. Since the Bosnian Serbs[42] saw their sub-state entity of Republika Srpska (RS) as a state, they argued that it should have its own citizenship regime. The most contentious issue in the debate was the competency to sign double citizenship treaties with other states. Referring to a constitutional clause granting RS the right to establish 'special parallel relationships' with Serbia, RS politicians single-handedly

[41]Westendorp, *Interview*.

[42]When using such designations, we refer to the political leaderships of the three groups and not the groups themselves.

signed a double citizenship treaty with Serbia. The Bosniaks, seeing such action as an infringement of Bosnian sovereignty, fiercely opposed the treaty and preferred the proposed law granting citizenship competencies to central state institutions. The Bosnian Croats, the third domestic player, did not express any preferences or reservations. The OHR also supported the citizenship law in its original form, for it strengthened the central state. What is more, it made clear to all the actors involved that it would use its newly awarded Bonn powers to impose the law if the domestic decision makers fail to adopt it, or reach a different agreement in line with the major principles. Due to Bosnian Serb resistance in parliament, the law failed. A day later, the OHR fulfilled its promise and imposed it.[43]

An agreement could not be achieved since the Bosniaks knew that the fallback option – the explicitly stated agenda of the OHR – corresponded to their own position; they were therefore reluctant to negotiate a different compromise. The Bosnian Serbs, on the other hand realised that a compromise in their favour was unlikely. Accordingly, they blocked the decision. The OHR's decree was predictable and came fast, without an attempt to conciliate the positions.

For our quantitative analysis, we consider decisions justified by reasons connected to the OHR's political agenda as related to an agenda-type model. The analysis shows that the agenda model became the default option of OHR behaviour when met with inaction on the part of the domestic elites (see figure in the supplementary material for details).[44]

4.3.2. Passive model

Looking at Bosnia's post-war history, there is a constant progression towards a more passive role for the OHR. Roughly throughout the first decade after the war, the needs of post-war stabilization and efforts to provide the state with a framework for domestic politics necessitated an active OHR involvement. Bonn-power imposition of necessary reforms and the OHR's authority to do so were generally accepted, both by the domestic political elite and the international community, i.e. the Steering Board, which supervises OHR action.

Intervention shifted towards a more passive role during and after Paddy Ashdown's tenure as High Representative (HR): in the second part of his mandate (after 2004), Bosnia moved from post-war stabilization to Euro-Atlantic integration, which could not truly be imposed. In 2006, Christian Schwarz-Schilling, who opposed imposition for philosophical and practical reasons, excluded the possibility of supporting domestic negotiations through impositions. His successor, Miroslav Lajčák, saw himself confronted

[43]Office of the High Representative, *Law on Citizenship*.
[44]Westendorp, interview.

with massive public backlash from RS when imposing new regulations signalling domestic challenges to OHR authority. At the same time, the consensus for imposition faded away internationally, with differences between two Steering Board members, Turkey and Russia, growing, thus incapacitating the OHR. For all these reasons, the Bonn powers were henceforth only used for decisions targeted specific areas such as the apprehension of war criminals to be put before the international tribunal.

4.3.3. The domestic reaction to the agenda vs. passive model

Our first set of hypotheses (H1a and H1b) deals with the effects of the agenda and the passive models of intervention on the domestic decision-making process. Figure 5 shows the different roles the OHR in Bosnia and Herzegovina has assumed in the post-war period.

Almost all press releases relating to OHR decisions contain substantial justifications, i.e. they refer to the political agenda of the peacebuilding mission, with very little variance over the years. While the agenda model dominates, the (annual) frequency of issue-related Bonn power decisions (*intensity of intervention*) varies significantly. Hence, the absolute frequency of

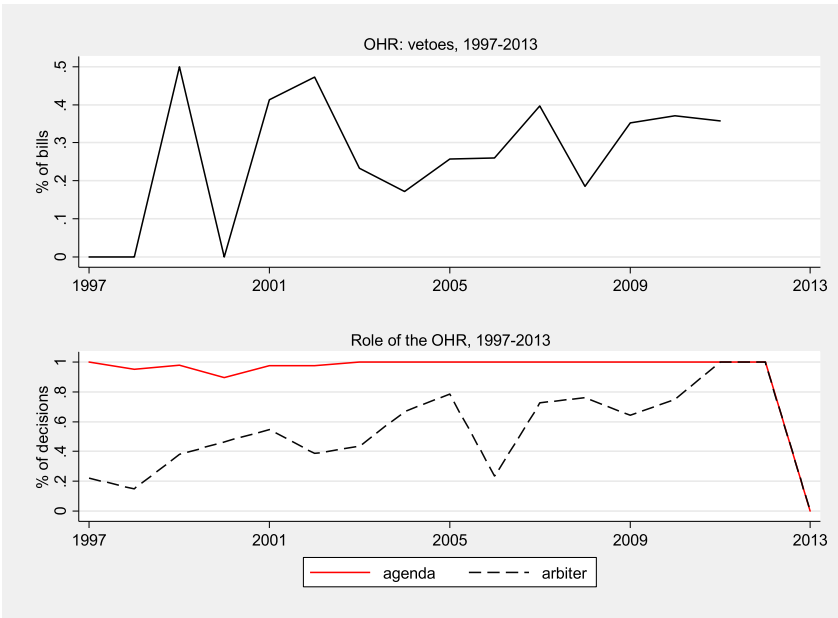

Figure 5. Role of the OHR and parliamentary law-making, 1997–2013. Source: Authors' dataset of OHR press releases. Justifications weighted with the number of decisions they refer to. Only press releases with reference to an issue-related decision considered. N = 394.

Note: No issue-related decisions were taken by the OHR in 2013.

intervention is almost perfectly correlated with the degree to which the OHR imposed solutions according to the agenda model.

Turning to our dependent variable, the domestic institutions showed little success at producing legislation. 46% of bills failed to pass the parliamentary procedure in the period of investigation. Between 1997 and 2000, and again in 2011, the parliament passed only between 4 and 13 bills per year, with vetoes being the single most important reason for failure. Up to 78% of all bills were vetoed every year. 2004 was the most successful year for law-making, with 73 bills passed.

To estimate the effect of the international intervention, we rely on OLS regressions, with years as units of analysis. All models operate with a one-year lag for the explanatory variables (measuring the OHR decision-making model). Since the OHR was awarded the Bonn powers in mid-December 1997, the analysis includes only the years 1999–2013.

The results of the regression analyses are presented in Table 1, with parliamentary law-making (bills per year, log.) as our dependent variable.[45] In the 17-year-period, neither the intensity of intervention, nor the percentage of reference to the agenda model, has a consistent and statistically significant effect on domestic cooperation.

Due to the small number of observations, we include only one control variable per model, and we assess the robustness of the results to outliers (online appendix, section 4.2). We report a selection of models with control variables in Table 1. (A full set of models with control variables, as for the arbiter model in Table 2, may be found in the supplementary material.) They do not alter the results, with two exceptions: First, we cannot exclude that the intensity of intervention affects parliamentary lawmaking. In some specifications (controlling for the arbiter model, or when we combine the intensity of intervention with the agenda model, specifications 3,7,9), active intervention is related to a better performance of domestic institutions: an active intervention along the agenda model leads to an increase in legislative productivity from 13 to 26 laws per year. However, these results do not remain robust when we alter the control variables included in the model, they are driven by the year 2001 (an outlier; see figure A5 in the appendix), and they run contrary to the common argument (hypothesis 1a) and to our theoretical model (hypothesis 1b). Conversely, when domestic actors polarize on salient issues, the domestic institutions tend to be blocked (see supplementary materials, table A3).

Overall, against the common expectation in the literature (hypothesis 1a), we do not find any evidence that the agenda model reduces cooperation

[45]Given the skewed distribution of the number of bills, and in order to account for the decreasing marginal effects (frequency of intervention), we rely on logarithms for both the explanatory variable measuring frequency and for the dependent variables. Results remain robust when variables are used, but the levels of significance drop.

Table 1. Explaining the success of parliamentary law-making, agenda model and intervention vs. passive role.

	Frequency of intervention (yearly)			Agenda role (yearly)			Frequency of intervention & agenda role (yearly)			
	(1) 1999–2013 b/se	(2) 1999–2013 b/se	(3) 1999–2013 b/se	(4) 1998–2013 b/se	(5) 1999–2013 b/se	(6) 1998–2013 b/se	(7) 1999–2013 b/se	(8) 1999–2013 b/se	(9) 1999–2013 b/se	(10) 1999–2013 b/se
Intensity, lag	0.089	0.180	0.347(*)				−2.277	0.826		
	(0.158)	(0.156)	(0.169)				(1.589)	(1.475)		
Agenda role %, lag		11.035		6.514	4.639	1.869				
		(6.222)		(7.107)	(7.890)	(7.167)				
Agenda * intensity, lag							2.453	−0.254	0.546**	−0.087
							(1.639)	(1.437)	(0.155)	(0.177)
Arbiter role %, lag			1.906*			1.322				
			(0.763)			(0.763)				
Arbiter role * intensity, lag										0.542(*)
										(0.269)
Year					0.040			0.171**	0.154**	
					(0.051)			(0.050)	(0.038)	
Constant	3.000**	−8.165	1.041	−3.246	−81.202	0.578	2.862**	−341.771**	−306.652**	2.615**
	(0.535)	(6.315)	(0.905)	(7.011)	(96.540)	(6.919)	(0.519)	(101.373)	(77.340)	(0.508)
N	15	15	15	16	15	16	15	15	15	15
R^2	0.024	0.226	0.358	0.057	0.182	0.234	0.177	0.599	0.587	0.279

Sig.: (*) <.1, * <.05, ** <.01; models with further control variables and operationalisations in supplementary materials.

Table 2. Regression models (OLS) for number of laws passed by parliament, arbiter model.

	Comparison to the passive role (arbiter role * intensity) (yearly)								Comparison to the agenda model (only arbiter role) (yearly)							
	(1) 1999–2013 b/se	(2) 1999–2013 b/se	(3) excl. 2004 b/se	(4) 1999–2013 b/se	(5) 1999–2013 b/se	(6) 1999–2013 b/se	(7) 1999–2013 b/se	(8) 1999–2013 b/se	(9) 1998–2013 b/se	(10) 1999–2013 b/se	(11) excl. 2004 b/se	(12) 1998–2013 b/se	(13) 1998–2013 b/se	(14) 1998–2013 b/se	(15) 1998–2013 b/se	(16) 1998–2013 b/se
Arbiter role, %, lag									1.40(*)	1.91*	1.93*	1.32	1.69 (*)	0.35	1.22(*)	1.37(*)
									(0.68)	(0.76)	(0.68)	(0.76)	(0.79)	(1.22)	(0.64)	(0.71)
Arbiter role * intensity, lag	0.47*	0.55(*)	0.61*	0.54(*)	0.60*	0.47*	0.62**	0.48(*)								
	(0.22)	(0.26)	(0.23)	(0.27)	(0.25)	(0.20)	(0.19)	(0.22)								
Agenda role, %, lag												1.87				
												(7.17)				
Agenda role * intensity, lag				−0.09												
				(0.18)												
Blockages, %, lag													−0.76			
													(1.04)			
Blockages * intensity, lag					−0.37											
					(0.36)											
Intensity, log, lag		−0.10	−0.19							0.35(*)	0.28(*)					
		(0.17)	(0.15)							(0.17)	(0.15)					
year						0.06(*)								0.07		
						(0.03)								(0.07)		
Election year (binary)							−0.78*								−0.64(*)	
							(0.30)								(0.35)	
Pre-election year (binary)								0.18								0.15
								(0.33)								(0.39)
constant	2.47**	2.64**	2.76**	2.62**	2.50**	−118(*)	2.42**	2.38**	2.38**	1.04	1.15	0.58	2.38**	−136.3	2.68**	2.35**
	(0.40)	(0.50)	(0.45)	(0.51)	(0.40)	(64.72)	(0.34)	(0.45)	(0.43)	(0.90)	(0.81)	(6.92)	(0.43)	(134.4)	(0.43)	(0.45)
N	15	15	14	15	15	15	15	15	16	15	14	16	16	16	16	16
R^2	0.265	0.286	0.386	0.279	0.323	0.431	0.525	0.282	0.230	0.358	0.421	0.234	0.260	0.288	0.387	0.239

Sig.: (*) <.1, * <.05, ** <.01.

among domestic actors, if we compare it to a passive role on the part of the peacebuilding mission.

4.3.4. Arbiter model

Our second hypothesis (H2) deals with the effects of the arbiter model of international intervention on domestic law-making. In this model, the peacebuilding mission, instead of issuing clear preferences on a policy issue, uses its intervention powers to reward cooperative behaviour and thereby helps domestic actors conduct successful negotiations.

A paradigmatic case thereof is the 2002 implementation of the so-called 'constituent peoples' verdict of the Bosnian Constitutional Court. The Court's verdict granted the three constituent peoples' political equality at the entity level; consequently, the entity constitutions had to be changed so as to give full legal equality to Serbs in the Federation of Bosnia and Herzegovina and Bosniaks and Croats in RS.

Following the notion of democratisation being a 'dialectic process'[46] between domestic ownership and international intervention, and seeing this verdict's implementation as an opportunity for such a process to take place, the High Representative, Wolfgang Petritsch, invited all political parties to high-level negotiations. The parameters were clearly laid out in Petritsch's own approach to the dependency dilemma: 'I intervene, but ideally only in those cases that contribute to the success of the general project and that gradually will lead to some form of identification and, well, [domestic] ownership.'[47] The demand for constitutional reform came from the domestic political system – the country's highest court – and if the domestic elites were to agree to a solution, the state structures as well as the domestic political structures for policy negotiations would be strengthened. Through 'formal and informal meetings' and 'cajoling', the OHR sought to create a situation 'where the locals could not get out (…) but did not feel trapped'.[48]

However, in the negotiations two problems occurred. First, the two largest parties of Bosniaks and Croats – SDA and HDZ, both of whom had the power to block the decision – disagreed with the direction of the negotiations and left the discussions.[49] The smaller parties from the Croat and the Bosniak groups, and the parties from RS nevertheless continued negotiating. They reached a comprehensive agreement on constitutional amendments, not taking into account the objections of HDZ and SDA. Petritsch made this course of action possible. He not only actively participated in the political process but

[46]Petritsch, *Interview*.
[47]Ibid.
[48]Merdzanovic, *Democracy by Decree,* 290, and Petritsch, *Interview*.
[49]The Croat HDZ (*Hrvatska Demokratska Zajednica,* Croat Democratic Union) rejected the proposal of limiting a group's veto rights to certain policy areas, while the Bosniak SDA *(Stranka Demokratske Akcije,* Party of Democratic Action) objected to the proposed asymmetry, i.e. different constitutional structures in the two entities to satisfy the verdict. Belloni, *State Building*, 64.

also provided the political leaders with a way out if they reached an impasse. During the negotiations, he offered to impose the amendments if they were based on a genuine compromise among the domestic elites: 'Look how far you can get; I will help you with all my powers, if it does not work. But it's up to you'.[50] Secondly, the RS parliament, on proposition of the Serb SDS,[51] diverted from the agreement by replacing fixed quotas for the representation of Bosniaks and Croats with a minimum quota of merely 15% for constitutional groups.[52] This, and the fundamental opposition by the HDZ and SDA, resulted in the failure of the constitutional reform in the Federation.

At this point the High Representative, Petritsch, stepped in and imposed the constitutional changes foreseen by the agreement in the Federation. In the RS, he chose to 'authorise' the constitutional amendments passed by the parliament while changing 'the text of certain of the amendments'[53] thereby *de facto* restoring the original compromise.

The behaviour of Petritsch corresponds to our arbiter model. Apart from legal considerations contained in the verdict itself, the High Representative did not have an own position with regards to its implementation. He participated in the negotiations and kept them going after significant veto players had left. He furthermore assured the remaining players that he would impose any compromise on which they could agree. He even went so far as to impose the domestically negotiated agreement not only in the Federation where the amendments failed, but also in the RS where a version had already been passed that, although in line with the verdict of the Constitutional Court, differed significantly from what had been agreed upon. The agreement survived only due to the intervention.

The arbiter model was occasionally also used on issues of lesser prestige, in order to overcome resistance by one or the other group on issues that *had secured some form of domestic agreement*, e.g. the Framework Privatisation Law,[54] or a law allowing the central state to raise administrative fees.[55]

4.3.5. The arbiter model and domestic cooperation

To measure the prevalence of the arbiter model more systematically, we coded all references in the OHR press releases to procedural arguments or blockages in the decision-making process. Such arguments signal that the OHR sees its role (also) as following domestic decision-making and supporting this process, and not just as imposing its agenda.

[50]Petritsch, *Interview*.
[51]*Srpska Demokratska Stranka,* Serb Democratic Party.
[52]Bieber, Post-War Bosnia, 129.
[53]Office of the High Representative, *Constitutional Amendments*.
[54]Office of the High Representative, *Privatisation Law*.
[55]Office of the High Representative, *Additional Decisions*.

The degree to which the OHR has pursued an arbiter role has fluctuated considerably. ranging from 15% of the statements in 1998, to 100% of the decisions in 2012 and 2013 (Figure 5).[56] The peaks in the arbiter role in 2001 and after 2004 correspond to Wolfgang Petritsch's understanding of ownership as a 'dialectic process' (see above) and Paddy Ashdown's 'local ownership' approach, which he adopted in the second half of his tenure; it focused on implementing policies reaching beyond the structures foreseen in the peace agreement and towards such that could sustain EU and NATO membership (see section 4.5, supplementary material).[57] After 2010, the OHR was increasingly moving to procedural reasons to justify intervention, for by that time the willingness for straightforward policy impositions had narrowed significantly (for the reasons behind this trend, see supplementary material). As a result, the OHR also became very passive, with only 1–4 issue decisions taken per year.

In our hypothesis H2, we expect a positive impact of international intervention on domestic decision-making when the international peacebuilder intervenes actively, but takes the role of an arbiter. We expect that active arbiter-type intervention will vitalize the domestic decision-making process, making it more beneficial than a passive OHR. As active intervention is a necessary condition thereof, we also use a combined (multiplicative) measure for the intensity of the intervention *and* the arbiter-mode intervention,[58] while retaining a measure of the intensity as a control variable. (See supplementary materials for a discussion of the empirical distribution of the two dimensions.)

The estimations, shown in Table 2, report a consistent positive effect of the arbiter model on the legislative output in the subsequent year. For models where intervention intensity is not entered as a variable, we also include the year 1997.[59] Despite the small number of data points (15–16), the effect is statistically significant. This is the case no matter whether we look at the active arbiter role (arbiter role * intensity), i.e. comparing the arbiter model to the passive role (at a level of 95%), or whether we compare the arbiter model to the agenda model (90% significance). Here, we count as 'arbiter role' the procedural justification for OHR decisions (in %), but do not consider their frequency.

As the OHR moves from an agenda model (% procedural reasons, lowest empirical observation) to an arbiter model (highest observation), our model predicts that the parliament should become roughly three times more

[56]In 2012, the OHR always includes procedure-related elements in the relevant press releases, but only 4 issue-related decisions were taken.
[57]Ashdown, *Personal Interview*.
[58]Goertz, *Social Science Concepts*.
[59]This is when the OHR was accorded the Bonn powers in mid-December, meaning that the number of decisions is lower by default.

effective: the yearly number of laws successfully passed rises from 13 to 43 laws per year. In the models comparing the passive role (no intervention) to the arbiter model (arbiter role * intensity), the effect is very similar (from 15 to 42).

We have tested for several potentially confounding explanations. First, we sought to exclude temporal or periodic trends. A long-term trend, towards a slow vitalization of the political system in Bosnia and Herzegovina, is captured by our control variable for time effects (year). Secondly, periodic conjunctures of higher law-making activities in particular years are controlled for, as we lag the explanatory variable. Thirdly, law-making drops considerably in years of parliamentary or presidential elections for state-level institutions,[60] and models including a binary variable for election years have the highest explanatory power. Neither the inclusion of controls for election years nor for pre-election years alters the findings regarding the arbiter model. Fourthly, we control for the agenda model of OHR decisions, and for references of the OHR to procedural blockages. Finally, we exclude the year 2004, when, 'prompted by requirements of the process of European integration'[61] legislative activity increased significantly. This does not alter the results.

To account for the possibility of reverse causation, we have lagged our explanatory variable. We have also tested for reverse effects of the success of parliamentary lawmaking on the model of OHR decision-making in subsequent years, but not found any statistically significant effect. This is in line with our qualitative analysis suggesting that the OHR's move to the arbiter model was neither motivated by pressure from either the international community or domestic players, nor by particular changes within the domestic political landscape; rather, it was due to the OHR's disappointment with the low sustainability of an interventionist approach along the agenda line.[62] (A mode detailed qualitative discussion may be found in the supplementary material.)

Overall, we conclude that the evidence from Bosnia and Herzegovina speaks for a consistent, and robust positive effect of the arbiter model on domestic cooperation, as envisioned by H2.

5. Conclusion

International intervention is usually credited with bringing peace to war-torn divided countries, yet its effect on the establishment of a democratic post-war

[60]Year in which parliamentary and (usually also) presidential elections at the state level were held.
[61]Belloni, *State Building*, 47.
[62]Our qualitative evidence suggests that while the domestic political constellation played a role in how the OHR sought to achieve certain policy priorities, domestic politics actually never determined the level of OHR activity or the priorities. In the same vein, while the international constellation was responsible for the OHR's move towards a more passive role after 2008, it did not determine whether the OHR acted according to the arbiter or the agenda model, as the determination of the intervention strategy was more or less the individual HR's prerogative.

order is contested. This article is concerned with the consequences of peacebuilding on domestic political institutions and political behaviour of domestic elites. It is concerned with the critique that external political intervention undermines domestic ownership and therefore prevents a consolidation of democratic institutions and elite behaviour. The article shows that the effect external intervention in post-war politics of divided countries has on democracy depends on the way in which the intervention is performed. We suggest a new mode of international intervention, where the political peacebuilding mission assists the negotiations between domestic actors, and helps to enforce compromises, thereby resolving political blockages. At the same time, the military and political intervention by international actors can serve as guarantee that the rights of all groups in society are respected. Our game-theoretical considerations and simulations show that this 'arbiter model' threatens those domestic veto players, who persistently block decision-making, and leads to more conciliatory behaviour. And the empirical application shows that international intervention along the arbiter model helps to avoid political blockages in the domestic arena. Our analysis shows that the change from an international agenda model to elements of an international arbiter model can explain a shift in the legislating activity of the parliament of Bosnia and Herzegovina from 13 to 43 laws passed successfully within a year.

This paper inevitably has theoretical and empirical limits. The model relies on assumptions about the stability of actors' preferences, the costs of compromises, and the ability of the peacebuilding agent to identify and to rule out tactical behaviour. Also, peacebuilding missions might face a trade-off with other goals, such as the prevention of renewed conflict, and can therefore not always strictly observe the goal of enhancing elite cooperation. And while the arbiter model generally strengthens domestic decision-making, like all powers-sharing settlements it may evolve into an elite-centred process in which the elites and the international arbiter become more important decision-makers than parliament itself.

The empirical focus on Bosnia and Herzegovina allows us to analyse a case which is close to the theoretical model, but there is only limited variation of the decision-making models over time: while some High Representatives have moved towards the role of an arbiter, they mostly also pursued the policy priorities of the international community. Finally, our investigation might miss the indirect impact that international interventions have in the mid-term on elections. If citizens realise that radicalization does not pay as a political strategy, they might be less inclined to elect those representatives who promise to block unwanted legislation with their veto, but rather those who are able to negotiate the best compromises.

If the findings hold in different contexts, they might have important implications for international peacebuilding: A change of strategy where the

international side abolishes its agenda, and instead supports domestic decision-making could have a considerable positive effect on the vitality of the domestic political system.

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Disclosure statement

No potential conflict of interest was reported by the authors.

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