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CORRUPTION AT THE BUSINESS-POLITICS INTERSECTION IN THE CITY OF
 MONZA, ITALY

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Party corruption (*partijska korupcija*) in the Bosnia and Herzegovina public employment system

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ABSTRACT

This contribution will explore legal norms and cultural values that underpin corruptive practices in the Bosnia and Herzegovina (BiH) public employment system. It will outline the institutional and legal framework that enables representatives of ruling parties to control employment and income resources and to assign them for their personal (direct or indirect) gain. Furthermore, drawing from interviews and focus groups with civil servants of two municipalities located in Sarajevo and East Sarajevo, it will show how mistrust in impartial and impersonal recruitment mechanisms in the public sector questions the efficacy of the State as a *super partes* institution able to assure the public good.

In a system where legal provisions subordinate employment to discretionary decision of the political functionaries, employment strategies appear as a self-entrepreneurship project aimed at activating a relation of trust with members of the ruling party. These strategies negotiate between subjective and objective selection criteria, public good and private interest. Debating with my interlocutors their official, unofficial and even illegal employment strategies, this contribution will try to point out emic perspective and terminology about corruptive practices often grounded in an ambiguous moral evaluation when they are used to find a 'secure' job in the public institutions.

INTRODUCTION

Results of a survey about ‘Institutional performance and social values’ carried out within WP4 in the ANTICORRP project clearly showed that respondents in Bosnia and Herzegovina considered corruption and unemployment as the most serious problems in their community.¹

‘Giving jobs to friends or relatives instead of people who deserve them’ has been indicated by 93% of respondents as a practice against the public good.

A widespread belief among my interlocutors was that the efficacy of the institution in resolving citizens' everyday problems such as unemployment is strictly linked to the personal or political relations that representatives of those institutions have with the ruling party.

For this reason one respondent suggested that in BiH we are not dealing with ‘political corruption’ but rather with ‘party corruption’ (*partijska korupcija*). She explained that this kind of corruption is able to penetrate into the smallest fragment of institutional life as long as different political parties strive to ‘capture’ institutions from the local to the State level and to use public resources available with wide discretion.

Survey results showed also how these beliefs undermined citizens’ trust in public institutions to the extent that the definition of public officers did not always match with that of ‘person who works for the public good’. More usually, distinctions have been made between people who are hired in institutions for their competence and those put there by the party, which do not act for the common good.

One of the scopes of this publication is to show that this kind of assumption has become central in BiH public discourse about corruption. In magazines, newspapers, and TV political talk shows, and in social networks, party corruption in public employment has taken over the place of the post-war discourses about the ethnic discrimination in the public institutions. Pro forma public examinations, affiliations to the ruling party or paying bribes in order to get employed or not fired are considered a ‘public secret’ (*javna tajna*) by common citizens, media, and NGOs, activists, international organisations and even representatives of the institutions.

¹ <http://anticorrrp.eu/wp-content/uploads/2014/11/Bosnia-and-Herzegovina.pdf>

Having this context as a background, this contribution will illustrate the legal framework and cultural values that underpin corruptive practices in the public employment system. Drawing from the theoretical approach formulated by Italo Pardo, the article will search both for legalised mechanisms of party corruption in the employment system and for socially constructed concepts of corruption and legality in employment strategies.²

The topic will be explored from the particular perspective of the civil servants in two municipalities located in Sarajevo and East Sarajevo.

Within the reformed public employment procedure sponsored by EU in BiH, civil servants should represent the de-politicisation of public institutions and act as a turning point in the fight against corruption in the public employment system. In the political science perspective, in fact, authority deriving from the professionalism that should mark civil servants, is considered able to foster the transition to a neutral and trustworthy state. This is thus of central importance in post-socialist state building.³

Nonetheless, as Dieter Haller and Chris Shore have underlined in an anthropological perspective, corruptive practices are not exclusively a product of the past over-regulated and politicised state but also of the current deregulated states.⁴

Katherine Verdery illustrated in the Romanian case that morally and legally debatable self-entrepreneurial strategies could arise in the gaps left open by the passing of the old system and a not yet well-regulated new one.⁵

For all the civil servants, interlocutors in this research, post-socialist and post-war transformation, together with the global financial crisis, marked a discontinuity and uncertainty both in employment procedure and experiences.

This contribution will document their experience with the new selection procedure in public employment that legalised the decisional discretion of the ruling parties' representatives in the

² Pardo I. (2004), Introduction in Pardo I. (ed.), *Between Morality and the Law. Corruption, Anthropology and Comparative society*, London, Ashgate: 1–17

³ Sajó A. (2004) Neutral Institutions: Implications for government Trustworthiness in East European Democracies in Kornai J. e Rose-Ackerman S. (eds.), *Building a trustworthy state in post-socialist transition*, Hampshire, Palgrave, pp. 29–51

⁴ Haller D., Shore C. (2005), *Corruption. Anthropological perspective*, London Pluto press, p. 9

⁵ Verdery K. (1996), *What was socialism and what comes next?* Princeton University press

municipality. Afterwards it will explore self-entrepreneurial strategies that try to negotiate between old and new employment systems and to exploit the intersection between objective and subjective elements in the selection procedure in order to establish a privileged relation of trust with people who have decisional power. As Davide Torsello's studies about trust have shown, fiduciary dynamics are always constructed on both subjective and objective levels.⁶ Furthermore, as he explains, 'trust is constructed at three levels: it has a rational (instrumental) scope, a moral and emotional one'.⁷

Debating with my interlocutors their official, unofficial and even illegal employment strategies, this contribution will try to point out emic perspective and terminology about corruptive practices often grounded in an ambiguous moral evaluation when they are activated to find a 'secure' job in the public institutions.

RESEARCH METHODOLOGY

This paper presents results from research activity carried out within the project ANTICORRP and within the WP4 dedicated to the 'ethnographic study of corruption practices'.

The ethnographic approach that marks all contributions to this WP, informed the present study of corruption in BiH that entailed four months of fieldwork in 2014 (March–April, September–November).

The second period of fieldwork has been scheduled according to the date of political election that took place in BiH on the 12th October 2014. The main aim has been to analyse public discourse about corruption in the employment system during and after the vote, that very often becomes an ideal setting for employment strategies and promises in return for votes or money.

The public discourse about corruption and anti-corruption in the employment system has been analysed through the local media (newspapers, magazines, TV talk shows, social networks). It has also been explored through interviews with representatives of the local anti-corruption non-governmental organisations: Transparency International BiH, ACCOUNT – *Antikorupcijska Mreža* (Anticorruption Network), CIN – *Centar za istraživačko novinarstvo* (Centre for Investigative Reporting), CCI – *Centar civilnih Inicijativa* (Centre for Civil Initiatives).⁸

⁶ Torsello D. (2003), *Trust, property and social change in a Southern Slovakian village*, Münster, Lit-Verlag

⁷ Torsello D. (2003), p. 14

⁸ Interview with TI BiH project manager Lejla Ibranović carried out 3/10/2014

Besides documents and reports made available by representatives of non-governmental institutions, research activity has also been aimed at collecting policy papers and legal documents about the system of public employment and its reform urged by international institutions like the EU.

To this purpose, interviews with representatives of the Federal Civil Service Agency (*Fbih Agencija za državnu službu*) responsible for the procedural aspect of selection and employment of public officers in the public administration of the Federation of BiH have been very relevant.⁹

Relevant as well have been the interviews with the directors of the public administration office (*Javna Uprava*) in two municipalities, one in the FBiH and one in the RS municipalities. Both were responsible for the selection of new employees in accordance with the procedure defined by the law.

These 10 interviews have also been useful to highlight controversial issues about the corruption and anti-corruption laws and about their implementation in BiH.

Notwithstanding this, the core of this contribution lays in the ethnographic data coming from interviews of civil servants working in municipalities. The choice of civil servants in the lowest level of public administration is often neglected by the NGOs, which are often committed to report corruption at the higher administration level. The explanation I got from one local NGO is that their mission is to draw the attention of citizens to the misuse of public funds that can affect the whole national territory and not only a small local community.

In the ethnographic approach adopted by this work, municipalities acquired a central role. The result of the survey carried out in the first part of the fieldwork, clearly showed how the citizens perceive municipality as the nearest level of institutions both geographically and emotionally. Municipality is part of the territorial identification of the surveyed citizens and the frequent contact with municipal officers, charged with solving the citizens' ordinary problems, creates a sort of privileged relationship that can easily create expectation of cronyism, nepotism or practices of 'petty corruption'.¹⁰

Interview with the ACCOUNT director Eldin Karić carried out 9/10/2014

Interview with the CIN editor director in chief Renata Radić-Dragić carried out 6/10/2014

Interview with the CCI project manager Adis Arapović carried out 31/10/2014

9 Interview with the Secretary Zinka Salihadžić and the advisor for human resources Irena Krtalić carried out 28/10/2014

¹⁰ Institutional performance and social values in BiH, <http://anticorpp.eu/wp-content/uploads/2014/11/Bosnia-and-Herzegovina.pdf>

In-depth individual interviews have thus been carried out with 30 civil servants (17 female and 13 male) working in municipalities of Sarajevo and East Sarajevo.¹¹ In addition, a final focus group was organised with five interlocutors in both the municipalities.

In order to guarantee the anonymity of the respondents, I will not report the name either of the municipality, or of the respondents. Municipality in Sarajevo will be referred to as MS and Municipality in East Sarajevo will be referred to as MES throughout the text. Respondents will be identified using their first name.

In MS and MES respondents were selected by the director of the public administration department who tried to match my indications about the general characteristics my interlocutors should present in terms of gender, level of education and age. They also provided me with statistical data about the employment situation in their municipality.

All of the interlocutors were civil servants (*Državni službenici*), that in the national law implies that they hold a university degree. Only two respondents in the MES were not civil servants but they were doing an internship at the municipality with the hope to be employed there in the near future. The choice of civil servants has been determined by their involvement in the process of reform of the public employment system that does not involve employees with a high school degree (*namještenike*).

The participants in the interview and in focus groups were of different ages in order to compare different experiences with the public employment system in different contexts (during socialism, during the war, immediately after the war and today). Ethnic identity of the respondents was not a prerequisite in the selection of the respondent, nor was it considered a sensitive issue by my interlocutors, who preferred to highlight their professional identity. Although ethnic identity was left as an implicit element in our discussion, it was not difficult to understand that the civil servants mirrored the ethnic composition of the population living in the territory of the municipality. People of several ethnic identities were present in the MS and people exclusively of Serb identity were present in the MES.

¹¹ I am thankful to the mayor, to the director of the department for public administration and to the public officers of both the Municipalities for their collaboration in this research.

Contents of the interviews focused on the employment systems and individual experiences, opinions and strategies.

Focus groups were aimed at highlighting common or controversial perspectives emerging from individual interviews and at asking for participants' thoughts, additional comments and clarifications. Both interviews and focus groups had been carried out in the local language and this has helped in isolating local terminology that carries emic perspective on what we call corruptive practices. Fieldwork has been carried out in the two cities of Sarajevo and in East Sarajevo area (hereinafter Sarajevo area). Research activity has not been limited or determined by ethnic differences that are supposed to distinguish the two cities divided by the IEBL (Interentity boundary line). This approach has been particularly useful to highlight a corruptive system in public employment that goes beyond the ethnic issue. It has been relevant as well for highlighting other variables able to promote or obstruct a corruptive employment system.

A 'PUBLIC SECRET': PUBLIC DISCOURSE ABOUT CORRUPTION AND EMPLOYMENT

Quantitative analysis in Bosnia and Herzegovina highlights that the level of corruption perceived by the population has grown in 2014.¹² Furthermore, recent surveys show the perception of political parties as the most corrupt subjects in the public administration.¹³

Political analysts and anti-corruption activists converge in assessing the presence of a systematic corruption in BiH in which political parties acquired a pre-eminent role. Several reports explain how this system has been fostered first of all by a process of political discontinuity.¹⁴ The collapse of the highly centralised socialist state created a void of power of which ethno-nationalist elites took advantage to approve new laws and control traffic of strategic resources. Another important factor for the creation of a corruptive system has been identified in the flow of donations for post-war reconstruction. International agencies had local politicians or criminals as their key interlocutors because they controlled local markets and acted as potential suppliers of goods and services.¹⁵ Another decisive factor has been acknowledged in the fragmented constitutional

¹² Transparency International BiH: "BiH nazadovala prema Indeksu percepcije korupcije" (<http://ti-bih.org/?p=8021>)

¹³ Transparency International, Embassy of Sweden (2014), *Percepcija Javne Uprave. Bosna i Hercegovina 2014*, Sarajevo, p.21

¹⁴ Blagovčanin Srđan (2009), *Korupcija u BiH*, http://ti-bih.org/wp-content/uploads/2011/02/Korupcija_u_BiH.pdf

¹⁵ Pugh M., Divjak B. (2012), The political economy of corruption in Bosnia and Herzegovina in Cheng C., Zaum D., *Corruption and post-conflict peacebuilding*, London, Routledge, pp. 99–114

architecture set by the Dayton peace agreement and by the abnormal expansion of the public sector.¹⁶

The unitary state of BiH has a few responsibilities in key legislative and administrative issues. Most of the sensitive administrative issues are delegated to the two entities: the Federation of BiH (FbiH) and the Republika Srpska (RS). Within the FbiH, competences are also delegated to ten Cantons with their own representatives' organs. In both the entities, in accordance with the socialist law about local self-administration (*Lokalna samouprava*), local matters are delegated to the municipalities and to local communities (*mjesne zajednice*–MZ) which are the municipal offices in neighbourhoods. This institutional fragmentation had the result of expanding the already large public sector inherited from the socialist government and amplifies the discretionary power of politicians on passing laws and procedures at all levels of governmental and judiciary powers.

In this context, public employment has been indicated as the key mechanism through which party elites, using political patronage and nepotism, occupy key positions in institutions (judiciary, media, academic community, etc.) and act as a closed circle of interests.¹⁷

According to local NGOs and media, public employment is considered as the sector where party corruption is most diffused in BiH.¹⁸ This has been helped in recent years by the problematic situation of the job market.

Demand for jobs in the public sector increased as long as the creation of a proper private sector was obstructed by a deregulated process of privatisation and by the advent of the last financial crisis. Privatisations of state enterprises have been carried out without any guarantee for the workers who very often have been declared redundant and fired.¹⁹ Disregard for the right of the workers set by the law is also present in the small and medium private enterprises whose development has been very limited in post-war time and after the recent financial crisis. In 2003, the FbiH Employment

¹⁶ Blagovčanin Srdan (2009),...

¹⁷ Devine Vera and Mathisen Harald (2005), *Corruption in Bosnia and Herzegovina*, Chr. Michelsen Institute, <http://www.cmi.no/publications/publication/?1964=corruption-in-bosnia-and-herzegovina-2005>

¹⁸ "Korupcija u zapošljavanju još uvijek najzastupljenija", <http://ti-bih.org/?p=4991>,

<http://balkans.aljazeera.net/vijesti/bih-korupcije-najvise-u-drzavnoj-upravi>,

<http://www.bhrt.ba/bhr1-emisije/mito-korupcija-pri-zaposljavanju/>,

<http://forum.klix.ba/korupcija-pri-zaposljavanju-u-drzavne-organe-uprave-t52635.html>

¹⁹ Street protests against political elites accused of corruption and inefficiency took place in the whole Bosnian territory in February 2014. They were launched in the city of Tuzla by former workers, fired by the new management when their factory had been privatised.

office reported that 23% of workers in BiH were employed under the counter (*'na crno'*).²⁰ Furthermore, the last crisis also increased the number of unemployed people that, according to the Statistics Agency of BiH, amounted to 556,868 in February 2014.²¹ On the 1st of May of the same year, local newspapers reported that BiH presented an unemployment rate of 44%, the highest in the Western Balkans.²²

According to the Centre for Investigative Reporting (CIN), this situation pushed 15,000 people in the last three years to apply for a job in the public administration (only at the state level) as this was able to assure regular salaries, good employment conditions, health assurance, pension and creditworthiness.²³ Today the public sector is the biggest employer in BiH. According to official data provided by the BiH Statistics Agency, the public administration alone employs 73,855 people.²⁴ This data anyway does not include people employed in the public education sector (64,215) or public health care system (48,554) for which the national agency does not provide the percentage of people employed in public and private sectors. Non-government agencies and media affirm that the lack of more detailed data is meant to hide the uncontrolled huge size reached by the public sector and the huge public expense needed to finance it. Unofficial data reported by the local media informs that at the end of 2014, the public sector employed 200,000 people.²⁵ For every three persons in BiH, one of them is employed in the public sector.²⁶ Therefore its possibility of absorbing new workforce is limited compared to the increasing number of citizens who strive to enter.²⁷

Anti-corruption activists, political analysts and opposition parties publicly denounce a corruptive system in which, taking advantage of the socio-economic situation and supported by the existing legal framework, representatives of political parties control public employment and salaries as private resources and assign them for their personal gain (direct or indirect). Bribes and corruption are thus indicated as basic means to be employed in the public sector.²⁸

²⁰ <http://fzzz.ba/vijesti/oko-23-odsto-radnika-u-bih-radi-na-crno>

²¹ Agency for Statistic BiH, Registered unemployment, February 2014, http://www.bhas.ba/saopstenja/2014/NEZ_2014M02_001_01_hr.pdf

²² <http://www.nezavisne.com/posao/analize/Najveca-stopa-nezaposlenosti-u-BiH-242906.html>

²³ Pleho E., Popović M. (2013), *Policy paper: Proces zapošljavanja u državnoj službi, trenutno stanje, izazovi te mogućnosti poboljšanja*, CIN, Sarajevo, later published in http://www.erc.ba/wp-content/uploads/Politicki_pritisci_na_pravosudje_i_reformski_procesi-analiza+korice.pdf

²⁴ http://www.bhas.ba/saopstenja/2015/ZAP_2014M11_001_01_bos.pdf

²⁵ <http://www.klix.ba/vijesti/eu-integracije/u-administraciji-radi-i-do-200-000-ljudi-jaz-izmedju-javnog-i-privatnog-sektora-ogroman/141204108>

²⁶ <http://www.vecernji.ba/svaki-treci-zaposlenik-u-bih-radi-u-javnoj-upravi-954862>

²⁷ <http://balkans.aljazeera.net/vijesti/magicni-javni-sektor-posao-lak-parali>

²⁸ UNODOC (2011), *Corruption in BiH: Bribery as experienced by the population*, https://www.unodc.org/documents/data-and-analysis/statistics/corruption/Bosnia_corruption_report_web.pdf

Due to the high rate of demand for jobs and few on offer, a market for public employment is being developed. Money is being asked and offered for a 'secure' job in the public administration and not only in a secret way. As CIN notices, people also go on public websites to offer money or just to find an intermediary that could help them buy their post in the public administration.²⁹

Another corruptive mechanism quoted by the media is the employment through parental links (*porodbinskim linijama*). Jobs in public administration are assigned with direct gain for the politicians and the members of their families.

Employment on party links (*po partijskim linijama*) consists of making the affiliation to the political party a prerequisite to have access to jobs in the public administration. The indirect gain in this case is represented by the increasing number of party supporters at the political elections.

The electoral success of the main ethno-national parties at the 2014 political elections has been interpreted by the political analyst Žako Papić in a TV debate, as the conservative result produced by the vote of all those people employed in the public administration by party links, which have not voted for a political programme but to keep their job.³⁰

A similar position is expressed by the analysts of the CCI (Centre for Civil Initiatives) who defined the politicisation of public administration (*politizacija uprave*), the result of a selection process in which people are chosen for their political affiliations and not for their professional ability.³¹

As highlighted in the CCI analysis, it is already a 'public secret' (*'javna tajna'*) that the politicisation of the public administration has reduced the public competition to a mere formality. As Arapović and Lučić, authors of the report, affirm 'The public competition with all its connected elements is one of the key mechanisms of safeguard, but at the same time it is also a mechanism of crucial influence exerted by individuals, groups or organised subjects outside the public system such as political parties, centres of economic power, religious communities, foreign and international subjects, etc.'³²

<http://www.6yka.com/novost/35690/korupcija-pri-zaposljavanju-sve-je-pokriveno-papirima>

²⁹ Pleho E., Popović M. (2013)

³⁰ <http://balkans.aljazeera.net/video/kontekst-opci-izbori-u-bih-0>

³¹ Arapović A., Lučić A. (2014), *Sposobnim a ne podobnim! Departizacija i depolitizacija javne uprave: izlazak iz krize odgovornosti i efikasnosti*, CCI, Sarajevo. Translation by the author.

³² Arapović A., Lučić A. (2014). Translation by the author.

As a consequence, in public institutions the difference is blurred between professionals that should be appointed for their ability through a public examination and politically nominated officers that are nominated on the basis of the election results.

According to Arapović and Lucić, the existing system is able to undermine the independence of the civil servants from the political organisations. Civil servants appointed through political sponsorship will be likely to feel responsible towards the political party, and will not act in the public interest as provided for by the law.³³

A LEGALISED DISCRETION. THE PUBLIC EMPLOYMENT PROCEDURE AND ITS REFORM

The present legal procedure of public employment in BiH is the product of the ongoing reform of the public administration highly supported by the European Union. According to EU delegation in BiH ‘the public administration needs to function upon the principles of professionalism, accountability, political neutrality, efficiency and effectiveness in order for the country to be able to assume the obligations of membership’.³⁴

Establishing a modern and efficient administrative and legal framework for the public sector has been indicated as a key sector in the anti-corruption strategy for the period 2009–2014 (BiH–*Strategija za borbu protiv korupcije 2009–2014*) elaborated by BiH institutions following the Council Decision of 18th February 2008 (2008/211/EC) on the principles, priorities and conditions contained in the European Partnership with Bosnia and Herzegovina’.³⁵

To reach this goal, since the preliminary phases of the Stabilisation and Association Agreement, pressure has been made on the state of BiH and on the entities for the creation of the Civil Service Agency.

In 2003 FbiH Government appointed the Federal Agency of Civil Service (*Federalna Agencija za državnu službu*).³⁶ Since 2005, this has been responsible for the application of the law on Civil

³³ Law on civil service, art 17, Law on local self administration, art.150

³⁴ <http://europa.ba/Default.aspx?id=3&lang=EN>

³⁵ http://europa.eu/legislation_summaries/enlargement/western_balkans/r18012_en.htm

³⁶ <http://www.adsfbih.gov.ba/index.php?lang=ba&sel=533>

Service that regulates the procedural and disciplinary aspects of employment in the public institutions of the Federation of BiH.³⁷

In 2002, the RS government appointed a similar organisation known as an Agency for the public administration of the Serb Republic (*Agencija za Državnu Upavu Republike Srpske*).³⁸ Among its functions is the implementation of the law on Civil Servants that in the RS regulates public employment at the entity level.³⁹ For towns and municipalities, procedural aspects are regulated by the law on the local self-administration (*Zakon o lokalnoj samoupravi*).⁴⁰

Other segments of the public sector including hospitals, schools, public firms and many other organisations are implementing an employment procedure not supervised by the Agency and not disciplined by the new law.

The creation of the Agencies and the adoption of the law at all levels (*državna uprava/sluzba*) has been aimed at introducing a more centralised and standardised procedure aimed at avoiding subjectivity, ethnic discrimination and corruption.

According to the new legal framework, in the F BiH as in the RS, a civil servant can be hired only through a public competition. The whole procedure is initiated by the public official that works as director of the institution (*rukovodilac*). These are majors or ministers with a political function and a temporary mandate assigned on the basis of the result of public elections.

According to the law on stabilisation, if it is not possible to assign the new position to people already permanently employed in the institution with different functions and if the institution disposes of the necessary resources to hire a new unit, the director of the institution opens a public competition that must be advertised in national newspapers and on the Agency website.

In both the entities, changes to the original text of the law have reduced from 30 to 15 the number of days the position should be advertised and the applications accepted. This of course restricts the number of received applications and the possibility of a competitive selection.

³⁷ *Zakon o državnoj službi*, Službene novine FBiH broj 29/03

³⁸ <http://adu.vladars.net/latn/?page=2>

³⁹ *Zakon o državnim službenicima*, Službeni glasnik RS, broj 01-1875/08

⁴⁰ *Zakon o lokalnoj samoupravi*, Službeni glasnik RS, broj 01-400-626/04

In the FbiH, the Agency is responsible to create a commission made up of five members, three of which already work for the institution and have professional expertise in the segment of the administration the candidate applies for; the other two are chosen from of a list of experts drawn up by the Agency.⁴¹ The predominance of the internal members cannot avoid manipulation in a public examination when the director of the institution initiates the selection to employ a specific candidate.

In the RS, the situation is even more exposed to manipulation when we are talking about positions in the local institutions such as cities or municipalities, where two members of the commission are appointed by the mayor and three are chosen from the list of experts certificated by the Municipal Assembly (*Skupština*), which cannot be considered an independent organisation.⁴²

According to the law, the leading principle of the whole selection should be to look for the best candidate only according to his/her ability (*sposobnosti*).

To this purpose the candidates should satisfy some basic prerequisites (*opći uslovi*) regarding their age, nationality, level of education, medical fitness and clear criminal record.

For the position of civil servant, candidates should have passed an exam aimed at assessing their knowledge of the organisation and functions of the BiH public institutions (*ispit općeg znanja* or *javni ispit*) and professional exam (*stručni ispit*) that in written form should assess their professional expertise. The commission makes sure the candidates match these prerequisites before admitting them to an interview aimed at verifying the professional competence of the candidate and the proclivity to work in a public institution.

According to the procedure, the oral exam gives many more points than the written exam and weighs much more on the final judgment. In this regard, analysts of CCI considered: ‘the human factor, that is the subjective examination by the commission is able to crucially determine the success of the candidate’.⁴³

⁴¹ Law on Civil Servant Fib, art.27

⁴² Law on local self administration RS, art.121

⁴³ Arapović A., Lučić A. (2014), *Sposobnim a ne podobnim! Departizacija i depolitizacija javne uprave: izlazak iz krize odgovornosti i efikasnosti*, CCI, Sarajevo. Translation by the author.

As an effect of the reform, in both the entities an adequate working experience in the public administration is required to apply for each position. A minimum of one year is required for the lowest level of the administrative career.

The problematic aspect that arises from this disposition lays in the available strategies to acquire this working experience in BiH. The opening of almost all the temporary working positions in the public administration are required by the director of the institution who is also responsible for the selection procedure that is managed internally, and without the intervention of experts nominated by the Agency.

The director can require apprentices (*pripravnici*) that will be employed for one year. The opening of the position must be announced via the media and on the Agency website and should be reserved for people with no working experience. Nonetheless, the requiring institution can have an influential position in the selection by fixing the prerequisites the selected person should present. Furthermore, the selection procedure is limited to an examination of the candidates' degrees and an interview carried out by a commission of three members appointed by the director of the requiring institution. Especially in local institutions like municipalities, the practice of hiring volunteers (*volonteri*) is also diffused. Volunteers are not employed but they carry out training in the public administration that counts as working experience in public competition. They do not receive a salary but a daily allowance for food and transport expenses. The director of the institution takes the initiative to hire a volunteer and appoints a commission that fixes the criteria for recruitment, which advertises the opportunity and is responsible for the selection.

The whole procedure does not guarantee neutrality and objectivity, as it could be easily manipulated to introduce into public administration 'sponsored' people who serve as apprentices or volunteers and are later hired by the institution with permanent contracts. In fact, they develop professional and personal knowledge within the institution that will smooth the public examination. Very often, the internal members of the commission are people with whom they have worked during their temporary service.

As reported by the Centre for Investigative Reporting, similar mechanisms are to be found also at the higher level of administration where in several cases the successful candidates in public contests had already worked in the assigned position with a 'service contract' (*ugovor o djelu*) or

fixed-term contracts which are not subject to a public competition but are assigned by nomination.^{44 45}

As widely advertised by the local media, the employment of people who had a political function in the institution is more likely to happen before the elections when the director mandate is going to expire and he/she has interest in making permanent the positions of his/her collaborators.⁴⁶

More generally speaking, ‘sponsored’ candidates can be facilitated in public competitions for permanent positions where, even though the commission draws up a rank list of the candidates who passed the exam, the director of the institution has the right to choose one of the successful candidates, which does not need to be at the top of the list.⁴⁷

The discretionary power assigned to the director of the institution is subject to few restrictions imposed by the law. According to the law on civil service/servants, for example, the director has the obligation to preserve the national structure of the personnel. The latter should mirror the proportion in which the three constitutive nationalities (Serbian, Croatian and Bosniac) were present on the institution territory at the time of the last census of 1991. This should foster the employment of the national minorities and avoid discrimination.

Furthermore, laws issued in the RS and in FbiH establish that under the same prerequisites, priority for public employment in RS should be given to the children of people who died in the last war fighting in the Army of Serb Republic (*pali borci*) and in FbiH to the children of people who died fighting in The Army of the Republic of BiH (*šehidi*). The same priority is assured to the disabled war veterans and their children.⁴⁸

In practice it is not entirely clear if the rights of minorities or privileged categories can effectively restrict the wide power of political functionaries at the different stages of the selection procedure. Notwithstanding the appointment of the Agency, the room for subjectivity left by the law seriously undermines the transparency and the neutrality of the public employment system.

⁴⁴ Pleho E., Popović M. (2013), *Policy paper: Proces zapošljavanja u državnoj službi, trenutno stanje, izazovi te mogućnosti poboljšanja*, CIN, Sarajevo.

⁴⁵ Do državne službe preko savjetnike pozicije, <http://www.cin.ba/do-drzavne-sluzbe-preko-savjetnicke-pozicije/>

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⁴⁷ Law on local self administration, art.122; Law on Civil servants RS, art.25

Law on Civil Servis Agency FbiH, art.31

⁴⁸ Zakon o pravima branilaca i članova njihovih porodica, Službene novine Federacije BiH», broj 33 /04 i 72/07; Zakon o pravama boraca, vojnih invalida i porodica poginulih boraca odbrambeno-otadžbinskog rata republike Srpske, Službeni glasnik RS br., broj 01-2079/11

This has heavy consequences on the principles that, according to the law, should regulate the life of the public system, such as legality, transparency, responsibility, efficacy and economicity, professional impartiality and political neutrality.⁴⁹

Furthermore, the unbounded power over employment given to the director of the institution and to other political functionaries increases the risk of corruptive practices like asking or conceding personal privileges, and bribe taking and giving. These kinds of practices are banished from the conduct of civil servants by the law in both the entities.⁵⁰

Legal provisions assert that a civil servant cannot publicly declare his/her political or religious faith. He/she cannot ask or accept for themselves or any of their relatives any benefits, sums of money or service. The duty of a civil servant is to operate in the public interest.

The criminal laws in force in both the entities extend these obligations to every subject with public functions including public officials like majors and ministers.⁵¹ The law considers it a crime to receive or promise any gift or other form of benefit to act against the duty of a civil servant or official. It is also a crime to use a public role to act against the law (abuse of power). The law prescribes penal sanctions to people who promise and give any benefit to public officers to convince them to act against the law. All those practices are openly defined as ‘corruption’ by the law for the suppression of corruption and organised crime recently adopted in the FbiH.⁵²

MISTRUSTING THE LAW: OBJECTIVE OR SUBJECTIVE SELECTION CRITERIA?

In both the municipalities, civil servants have been asked to illustrate their personal experience with the official modality of advertising new job opportunities in the public employment system. They have also been asked to express their degree of trust in the fairness of the selection process and in its possibility in choosing of the best candidate.

In both the municipalities, a high degree of scepticism has been shown about the work of the public centres for employment. Civil servants agreed that these centres limit their work to collecting statistical data but cannot be of any help in looking for a job. ‘I do not know anybody who has found a job through the employment bureau!’ is the reply I got from many of my interlocutors. If

49 Law on Civil service FbiH, art.4; Law on Civil servants RS art.5

50 Law on Civil service FbiH, art. 17 and Law on Civil servants RS art.23, Law on local self-administration RS, art. 150

51 Krivični Zakon Republike Srpske, Službeni glasnik RS br. 01-453/03 ; Krivični Zakon FbiH, artt.380 383

⁵² *Zakon o suzbijanju korupcije i organiziranog kriminala u FbiH*, approved 05/06/2014

asked to compare efficacy for finding a job of 'personal contacts' and of the bureau for employment, they chose the first one without any hesitation. I got controversial answers regarding the procedure for advertising open positions. The majority of my interlocutors in MS, where the reform has been implemented, underlined that procedure has gained in transparency since the publication of the open positions on the Agency website. This is the official way to find a job that they recommend to citizens who ask them for help in employment but, as we will see later, it is not necessarily what they consider the best way to find a job for themselves or for relatives.

In MES, mistrust has been shown more clearly especially by young people:

Zaira: Do you trust the procedure for advertising new job positions in the public institutions?

Bojana: I do not trust them at all. Here an open position is advertised when the successful candidate has already been chosen.

Tamara: This has become normal. It is not useful reading the newspapers in search for public jobs. I do not buy them anymore! The same goes for my friends. Only a few of them buy a newspaper to make their parents happy. Parents recommend their children to apply for public positions, but they still think in the old-system way!

Regarding the selection process, it has to be noticed that both municipalities presented a stratified structure of personnel in which it was possible to identify people who had been employed in different conjunctures and consequently with different modalities. Not all the interviewed civil servants had been employed with the present procedure of selection. Those among them who started working immediately after the last war, brought with them the experience of a less formalised system ruled by the principles of humanitarian help and of the emergency.

After the collapse of the SFRJ (*Socijalistička Federativna Republika Jugoslavije*) and the beginning of the war on the BiH territory, public institutions were stuck by the material damage to buildings and by the death or the escape of many employees who saw their lives under threat. Of course, during the war, criteria of employment were regulated by ethnicity and by the loyalty to the army that controlled the territory. Recruitment in public institutions had been marked by the logic of volunteering. Public employment procedure relied more on personal knowledge and informality than on meritocracy. In the immediate aftermath of the war, the need to set in motion the new institutions born from the division of the state into two entities, led to facilitate and to speed up the procedure of employment in the public sector. Obtaining the job did not entail for my interlocutors any particular effort as institutions were looking for new personnel (*'tražilo se!'*) and above all qualified people with a university degree. They presented themselves at the municipality to offer their services and in a short time they had been hired with permanent positions by the mayor. As

Zorka noticed, 'from 1996 to 2004, the procedure of announcement of an open position on the local media lasted only eight days'.

Mehmed considered that the present system is better than the old one, because there is a commission that assesses the candidate's knowledge and the major evaluates only those who pass the examination. He anyway suggests that more accurate controls should be carried out on people who select candidates in order to avoid exchange of favours and to get a more standardised procedure.

Zorka and Slavica expressed their trust in the meritocracy of the present procedure, even though Zorka underlined that normally only one of the candidates matches the prerequisites, implying that prerequisites may be created ad hoc by the commission in order to favour someone.

Many of the civil servants who had been employed with the post-war quick procedure were middle aged and had experience of the employment procedure in socialist times. The opinion they have on the present public employment system emerged when they compared it with the procedure applied during socialism. They shared the opinion that, although connection (*veze, štele*) played a role even then, rule of law was predominant and was able to establish a general meritocratic order in the employment system, that is not assured by the new system. This point of view is summed by the words of Lenka:

' Public employment bureau was working then. Those who had more points in the bureau rank list were employed. The person who deserved the first position in the public competition, was hired. The order was respected. Even then connections existed. I waited three years before my first full-time employment but I had never been unemployed. It was a state with a rule of law'.

Younger civil servants who had no experience of the socialist system presented different degrees of trust in the selection procedure. Generally speaking people employed in the MS, where the reformed system is already in force, showed less pessimism.

Jasmin highlighted that in public institutions like municipalities you need to hire according to meritocratic principle because you really need competent people to make things function. If you hire an incompetent person than you need to hire another one who can do the job but the municipality has now budget restrictions.

Alexanda and Jelena who have experience in the private sector considered that municipality budget restrictions impose the hire of people with specific competences in fundraising and project management of European projects.

Sunčica highlighted that municipalities are particular contexts because the mayor usually has a four years' mandate. It is hard that the mayor substitutes him frequently like government ministers. The mayor has an interest in making things work otherwise he will not be re-elected.

For all these reasons they believe or hope that the selection procedure will result in the choice of the best candidate.

Jasmin, for example, drawing from his own experience, firmly defended the possibility of the selection respecting procedure and of the procedure to be correct although there were some subjective factors that facilitated his employment:

'I have passed through the procedure and I am completely satisfied with it because I had no sponsors. I have passed the selection strictly through procedure and I got the job. My job (urban construction inspector) is one of the hardest in the municipality and there is not so much competition. Just me and two women had applied but, you know, for the job of inspector a man is always preferred to women.'

Although they shared the opinion that the new system is going in the right direction, this was far from denying that the present procedure presents room for manipulation.

Dijana, who affirmed that she had the impression that the employment procedure is fair, added the following:

'It is always hard to enter into details... When you pass the written exam you exactly know who is better than you but the oral exam... I cannot remember if they closed the door or they left it open during the oral exam. If it is not fair, this is not so visible. I always got the highest mark in the written exam but the oral was always defective. I say that for me it has been fair in the sense that I applied for it and if it was successful I would be happy, if not... I was not unemployed then, so I did not try to understand if they employed a worst candidate than me ... We cannot say that corruption does not exist when we live in such a society. I think that reform tries to fix this but if it is possible to find some tricks in the procedure, I do not know.'

Some of them showed mistrust in the existing procedure on the basis of negative personal experiences in previous competitions.

Aleksandra told me that she does not believe much in the fairness of the procedure. The first time she applied for a position, she even complained because the commission published different final results to those announced verbally. She had to call several times to find out that she was joint winner with another candidate. After four months the commission officially communicated that they had chosen the other candidate.

Aleksandra was also very critical about the ‘application form’ that candidates have to fill in as it leaves room for manipulation:

‘To fill in the application form is enough to formally fulfil the requirements. They ask if you have working experience but it does not ask you where have worked, what have you learned. It does not look like a European CV. It enables everybody to reach the oral exam.’

She also complained because she has been working for years with computers and paid for a private course in order to have a certificate. At the same time, public institutions worked for the education of their human resources and paid for IT courses for them. In case competition for a position would be opened, employees of the municipality already have this certificate paid for. This is a way in which institutions try to hire people who already work for them.

Jelena also had a ‘catastrophic experience’ because the first time she applied, her documents were sent to another competition by the Agency. She also had some complaints about the procedure that does not properly evaluate people’s motivation so that ‘in public institutions people are hired who just sit and wait for the pension to come’.

Some of the civil servants in MES expressed the same concept that even if the procedure is applied, there is wide room for a subjective decision, especially in the last stage of the competition. Differently from their colleagues in MS, civil servants in MES emphasised the role of the ‘*politika*’ in the selection process.

Dejan, for example, told me:

‘Knowledge is important. You must have a university degree because the procedure does not allow the employment of a baker instead of a lawyer but when you reach the final stage among three people who successfully passed the examination, politics will decide.’

Mladen highlighted that in such an arbitrary procedure ‘anything could happen’. He added:

‘The best candidate, even if he succeeds in passing the examination, may not be employed. The procedure could be "well-packed" (ad hoc) or you can give money. This reform will just reduce the positions available but *politika* will always decide who will be employed.’

Mladen conveys a sense of uncertainty resulting from the perceived arbitrariness of the selection process, at least at the final stage. This aspect anyway leaves in other interlocutors some room for hope in the mechanism which is arbitrary as well.

People among them who have experienced several unsuccessful examinations before getting the job, often concluded that not only meritocracy but also even luck, coincidence, plays a role: ‘Once I have been successful’ (*‘jednom mi je uspjelo’*), ‘It was a lucky coincidence’ (*‘poklopile su se kockice’*). Stojan even compared the possibility of participating in a public examination to participating in bingo. This creates trust in the possibility of the procedure to be fair in some cases but also awareness that it is rarely like that.

Other interviewed civil servants insisted on the role of political parties to make a sort of pre-emptive selection. Lilja, for example, expressed no trust at all in the procedure that can lead to the choice of the best candidate:

‘The best candidate is not hired in our system. Always people are employed who belong to political parties. Hired is the person who must be hired. Knowledge and professionalism are not important factors when a selection is carried out. They rather look to satisfying other political criteria.’

Lenka expressed the same opinion and moral disapproval about the way public selection is carried out. She defined the selection procedure as involving corruption:

‘In this system neither education nor knowledge is important. If you are politically committed, then you go ahead. Corruption is when a position is open and in that position someone already works, then it is a pro forma competition, or the position is open for a specific candidate. That candidate will have the test in advance and will pass. Public job competitions are just a waste of money. They should assess competence, selection should be made considering the achieved points and position should be open to hire new and unemployed candidates. That written test is not a good way to prove knowledge. I would never believe in the test result. Publicly you know for which person the position is open, not to mention the custom of paying someone...’

PEOPLE OF TRUST: SELF-ENTREPRENEURIAL EMPLOYMENT STRATEGIES BETWEEN PUBLIC AND PRIVATE

Notwithstanding their different points of view, all my interlocutors expressed the awareness that the selection implies a certain level of subjectivity, causality and even arbitrariness. In all cases, at least in the final stage of the employment procedure, they all had to face the personal discretion of the major as ‘man of the party’ in the institution. As the wide range of moral evaluations demonstrates, the major can use this power to employ people according to criteria that my interlocutors consider legitimate or not. In any case he will always employ people, which, regardless of the result of the competition, he evaluates as more trustworthy according to criteria that can be corruptive, clientelistic, meritocratic or a mix of all of them.

A successful employment strategy requires taking advantage of the intersections between subjective and objective criteria in order to become a ‘person of trust’.

To be ‘people of trust’ (*‘ljudi of povjerenja’*) is not a new expression and strategy in the BiH public employment system. I first heard from a woman employed in the public postal office in Sarajevo who referred to people working with key roles in public institutions at the time of socialism. When I asked my interlocutors if they could give a sense of this expression today, they immediately linked it to the party system present in both the past and present historical context.

In the MES, Jasmin explained:

‘This has existed in the socialist system. If you were affiliated to the Communist Party you were considered a person of trust, a fellow (*podoban*). Today is the same but we do not have anymore a single party. We have several parties. Particularly for police or public firms, we know this; at least the director brings for sure his advisors. He does not bring them like sponsored people but through public competitions. If you are people of trust, then you start working for them. They do not choose people for their professionalism.’

In MES I got a similar answer:

Ljlja: People of trust have always been required! (Ironically)

Dijana: They had to be pioneers and then members of the Party.

Ljlja: We have parties even today. Also today they are people from the party. We just have more parties. During socialism we had just one party and it was a party system. When I had been employed, the first thing I had to write was that I am a member of the Communist Alliance (*Savez Komunistica*). That was a prerequisite more important than any qualification. Now more parties

participate in the government. How do you get employed? You have to belong to someone. Short and clear!

The party employment system is able even today to mix up the public or private role of the employee's political affiliation.

As Stojan tried to explain to me: 'In the West, political affiliation is a private thing. Here it is not!' During socialism, party affiliation could be publicly shown and it gave secure access to privileged employment positions and benefits. Today it should be a private thing but it still continues to have a role in the public employment strategies.

Furthermore, the statement 'you have to belong to someone' made clear the personalistic element that the party system introduced in relations between the employer and the employee, defined as feudal by some of my interlocutors. The commitment to the party is seldom based on ideological loyalty, it rather consists in the loyalty to the person of the party who has the decisional power about employment in the institution.

Although my interlocutors meant by 'people of trust' public officials with political nominated roles in institutions at a higher government level, a private agreement based on trust with the representative of the ruling party has been observed also among civil servants working at the municipal level.

In both the municipalities it was possible to identify people who had politically nominated roles and had been then stabilised in other permanent positions through public competitions. As Ljlja highlighted, this change of role is always motivated by the existing logic of personal trust between employee and party representative in the public system:

'People of trust means belonging to one specific structure... if the party is ruling then it will employ people who belong to that party. They will not trust in people who belong to other parties. All of them will try to employ their members.'

An interview with a public official who still has politically nominated function clarified how this dynamic works. Biljana said:

'I have been politically nominated and when the Municipal Assembly will change, I will be also changed to avoid a possible clash of interests with the new Assembly. Maybe at the end of his

mandate the major will stabilise me in a different position but this depends on the major and on his goodwill.'

Not surprisingly, this opinion has been shared also by some civil servants. Dejan, for example, showed disapproval of the expression '*partijska korupcija*' in the public employment system. He considers the employment of civil servants who belong to the major party is not a form of corruption but it is even desirable as those people will not obstruct the work of the major for the public good.

Starting from a similar assumption, Biljana and Dejan considered that in order to be successful in the selection procedure, knowledge is important but it is also crucial to be in 'good relations' ('*u dobrim odnosima*') with the major.

As employment depends on subjective factors like 'the major's goodwill', then the most efficient employment strategy is a self-entrepreneurship strategy that could create a good public/private relation with the major that has its effects not only in private life but also on the job.

Expressions used in both the municipalities conveyed the sense of informal and personal relations established with the major and the civil servants interviewed, especially those who had been employed during his mandate. He has been depicted as a paternal figure ('the major takes care of us and we are all satisfied') of an institution where job relations are often compared to family relations ('all in all we are a big family').

Activating this personal/private mechanism that allows one to become a person of trust, implies the need to be or become visible to the major or, to use a popular verb among my interlocutors, you need 'to prove yourself' ('*dokazivati se*').

This is considered important by apprentices and volunteers who would like to be hired in the municipality. Sunčica, who has recently become a civil servant in the MS after being a volunteer in the same municipality, considered that for a successful employment strategy 'you always need luck, knowledge and *dokazivanje*'.

As she explained, she had been a volunteer for one year, then as she proved to be suitable for that position, she was nominated by the major as personal advisor and after one year 'circumstances were favourable' and a position was opened for which she had regularly competed.

Acquiring visibility is considered very important also for civil servants who would like to have more prestigious and well-paid roles in local and governmental institutions. In MES Dragana explained:

‘If you prove yourself to someone, you have the possibility that he will choose you as collaborator when he has the chance, maybe he will open a position for you. I am in good relations with the major. Maybe the way I work here will be appreciated by someone and he will offer a better job, maybe in some high-level institution.’

Those of my interlocutors, who interpreted the need to prove yourself only as a way to show your professional ability, considered that if you belong to the party, the only thing you need to show is your loyalty by being proactive in the electoral campaign.

The experiences reported above showed that also the meaning of the word *dokazivanje* implies a more complex set of practices that do not exclude the need for a civil servant to show both personal/political loyalty to the major and other qualities based on meritocratic principles.

Furthermore, as my interlocutors reported, it is more and more difficult nowadays to create this public/private relation of trust through political commitment to party activity.

The high rate of unemployment has transformed political parties into groups so large it is difficult to acquire visibility and personal privileged relations with ‘influential people’.

Participants in focus groups carried out in both the municipalities concluded that commitment to the parties is not enough today in order to find employment.

In MS, Jasmin said:

‘It is not correct to say that unemployed persons are those who are not members of a political party. You have a lot of young people who are members of parties and they have no job. As my colleague has said, employment across political lines is today successful only in high level of institutions. For middle level positions, this does not help anymore. There are no more rules. You can be a member of all the parties but you can remain unemployed. There are a lot of young people in political parties in order to claim their rights to work but this does not help!’

My interlocutors showed moral approval for alternative ways to establish public/private relations with people who have political roles and decisional power in the municipality. This is commonly

called *veze* (connections), which implies adopting a self-entrepreneurial strategy aimed at finding intermediaries: people with a public role in the institution and a private relation with the candidate. Very often moral support for these kinds of practices have been shown when the respondents were not talking about their employment experience but about experiences of relatives and friends. In several of the reported examples, they themselves acted or said they would act as intermediaries. As I have explained, to be a relative of an employee in the socialist institutions functioned as a guarantee that you would act as a person of trust as well. Even today one of the self-entrepreneurial strategies approved by my interlocutors is using a family link to gain employment. In all cases they argued their endorsement for the possible candidate using both private and meritocratic reasons. Jasmin admitted he would act as intermediary to allow his son to be employed in the municipality where he currently works:

‘If I am employed here and I want my son to be employed here too... if this is corruption... a son who has studied and is skilled and I want him to compete for a public position here... I do not know if this is corruption but if they will look at him in a different way, let him pass...The worst thing would be that my son is not educated and gets a high mark without any reason. But if I am employed here and I want my son to have a job here I would like that he has some advantage.’

Lenka told me she has been trying for a long time to employ her sons at the MES municipality, without any success. In the past she was assigned the political function of head of public administration, but she did not want then to hire her sons who were too young, and preferred to employ two apprentices. In the meantime, her mandate expired and the new ruling party did not allow her to hire anybody else.

When more meritocratic use of the *veze* is considered, it is conceived at the extent of a recommendation that could positively influence the selection of a candidate. Alexandra for example explained:

‘Why not take advantage of situations in which someone knows somebody who has worked in a company and has worked well? If that person has good references and CV. Why not give advantage to that person instead of somebody who has no experience?’

Jelena proposed the same dynamic, suggesting the use of *veze* in public institutions with the logic of the private sector:

‘*Veze*, if they are not an exchange of favours, are morally acceptable for me, if there is a recommendation. It does not mean employing that one because he/she is my cousin but employ that one because they are capable, know their job, because I know that they will be good in this

function. Of course, that person must also pass the examination. In this sense, for me *veze* is ok because it functions like that also in the private sector.'

In the perception of people like Jelena, who has working experience in the private sector, the concept of *veze* overlaps with that of networking. As she explained:

'This is the best way. Knowing people, meeting people. I do not think of recommendation but of networking. These are the only channels we have, out of the white envelopes.'

It is widely shared opinion among my interlocutors that the possibility to use *veze* in this way is an alternative way to paying money for a job.

As Jasmin affirmed in MS: 'when you have *veze* you have *veze*. When you do not have *veze*, you must have money. When you do not have money then you get nothing!'

Giving money for a job does not exclude the presence of an intermediary, a connection between the bribe-taker and the bribe-giver. Nonetheless it is considered an alternative strategy to *veze*.

The request for money is perceived as a failure of the possibility to exploit the intersections between public and private mechanism for gaining visibility and being employed in the public system. These strategies, as we have seen, imply a selection made through a combination of personal/impersonal prerequisites. As my interlocutors explained, if you have *veze*, especially of a familiar type, they will not ask you for money.

Zaira: Connections can be a solution to avoid giving money?

Bojana: This is a very good solution!

Lilja: If you have someone in the right position... political position or similar... in the public sector... then you will not need money and you will be employed by that line.

The request of money normally excludes *veze*, personal or political, between bribe taker and giver. It is considered an impersonal relation of mere material interest among people who do not have social connections. Therefore, as witnessed by my interlocutors who would like to engage in such practice, finding a public official who would take the money in return for a job is very difficult.

Lenka admitted that she would be available to pay a person for getting her sons employed but until now she was not able to find anyone.

Bojana, working as an apprentice in the MES, explained to me:

‘Sincerely I tell you that if I knew a person who is available for taking money in return for employment, I would give money. The hardest thing is to find that person of trust!’

As we have seen, successful employment strategies imply becoming ‘people of trust’ and this includes establishing a certain degree of complicity between employee and employer. In totally impersonal relations, trusting people is more difficult and risky.

Finding a person who takes money for jobs is of course hard because this is an illegal practice punishable by law, but it should be pointed out that giving jobs to relatives or friends is also an abuse of power included in the legal definition of corruption. Nonetheless, this latter practice is considered legitimate by my interlocutors, who even engage in it. Social legitimacy of the practice makes it easier to implement it openly and thus to find intermediations.

Conversely, selling jobs is considered blameworthy by all my interlocutors, even by those who considered the opportunity to give money for employment.

This shows how in BiH self-entrepreneurial employment strategies grounded in relations of trust are intrinsically personal and impersonal. This emic perspective is crystallised by terminology used in the implementation of this practice that instils personal and subjective elements in those which should be impersonal procedures and institutions. Usually the latter would start by asking, ‘Who do we have there?’ (*‘Koga imamo tamo?’*) and this could lead to using a connection in order to enquire ‘For whom is that competition?’ (*‘za koga je taj konkurs?’*). Questions like ‘who has employed you?’ (*‘ko je tebi zaposlio?’*) highlight the hierarchical and personalistic nature of the employment procedure. Even those who would like to stress that they have been employed exclusively according to impersonal meritocratic criteria, and disapprove of feudal procedure, would affirm ‘I have not been employed by anyone’ (*‘meni nije niko zaposlio’*). The moral disapproval implied by terms that carry a sense of passivity like ‘people who have been placed’ (*‘namješteni’*), ‘people who have been brought’ (*‘dovedeni’*) imply a certain degree of entrepreneurship needed in employment strategies which could not only rely on political or familiar sponsorship but also on education.

More importantly, the use of the word corruption (*korupcija*) has been unanimously used by my interlocutors only to indicate the practice of bribe giving and taking for a job, that is the practice that takes place outside of any dynamic of social networks (political or familiar).

CONCLUSION

The reform of the public employment system and the creation of a standardised selection procedure of civil servants are considered by the EU of crucial importance for trustworthy, depoliticised and uncorrupted public administration. Nonetheless, the results of this ethnographic research have shown a limited impact of the reform on the standardisation of the public employment procedure.

The employment procedure, coordinated by the Agency for civil service in the two entities, continues to be applied only in public institutions. Local institutions, such as municipalities in the RS, continue to apply the law on local self-administration to regulate the employment procedure. Furthermore, the reformed employment procedure is not applied to several segments of the public sector such as health care and education, which continue to manage the selection procedure internally, that is outside the rules imposed by the civil servant Agency.

Even for those public institutions that adopted the reformed employment procedure, the research result also showed the need to reduce the decisional discretion given by the law to the representative of the ruling political party. As we have shown for municipalities, the major is not compelled to choose the candidate with the highest number of points in the public competition. The major can use this discretion for public or private interest or both. This can convey a perception of arbitrariness or causality as the leading principle of the public employment procedure. As we have reported, on the bases of their experiences and ideas the interviewed civil servants have thus expressed different degrees of moral approval or disapproval of the existing procedure. This depends on the way the political power is used by the major in the selection procedure: they can match their concept of morality or not match it at all. Nonetheless, they have all expressed mistrust in the rule of law and in its possibility of selecting candidates on standardised criteria and exclusively on the basis of impersonal and meritocratic principles.

The implementation of reform should regulate the selection mechanisms that, to a certain extent, make even of civil servants politically nominated subjects. In an economic system where the private sector is not an option for unemployed people, my interlocutors showed how it becomes socially legitimate to try to take advantage of the intersection of objective and subjective, public and private mechanisms, to activate a dynamic of trust with people who have a decisive role in public employment procedure. Becoming 'people of trust' recalls employment dynamics popular in the socialist party system. Notwithstanding this, in the new multi-party competitive system,

becoming people of trust is understood as a self-entrepreneurship employment practice able to entrench institutional and interpersonal dynamics. Self-entrepreneurial employment strategies take advantage of the lack of an institutionalised path to employment, but are meant to compensate the right to have a deserved opportunity otherwise negated upon arbitrary reasons. *Dokazivanje* (prove oneself) in order to acquire visibility in public employment cannot rely only on subjective elements and is not perceived as anti-meritocratic.

The research results also highlighted the perceived inefficiencies of using the official channels to look for a job. Although the use of official websites to advertise new job positions has been appreciated, it should be noticed that this has been counterbalanced by the restriction of the time candidates have to send their application. Furthermore, the interviewed civil servants openly expressed mistrust in the role of public employment bureaus in promoting the development of their professional careers and to match demand and offer of jobs in public sector.

In this perspective alternative unofficial and illegal strategies are elaborated.

Affiliation to the party, for example, is not an ideological commitment but an occasion to gain visibility and activate the dynamic of trust. To this purpose, some of my interlocutors would consider it also morally acceptable to mobilise social connections (*veze*) in order to get employed. Although these practices are considered illegal by the law, they are constructed as legitimate in the emic perspective that considers employment in public strategies as intrinsically personal and impersonal; individual interest must always be entrenched with public good and the latter is often interpreted as the possibility to have access to employment resources.

The legalised discretion of party representatives in the institutions fosters a socially constructed concept of legality. As we have shown, the perception of corruption (*korupcija*) as a morally illegitimate practice has been unanimously used by my interlocutors only to indicate the practice of bribe-taking for a job, that is that practice that takes place out of any dynamic of social networking (political or familiar). In bribe giving and taking, the relation of trust and complicity is established by the economic transaction itself.