

# Conflict between Labour and Capital in Times of Global Crisis in Bosnia and Herzegovina

Scientific article

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**KEY WORDS:** *society of labour, society of capital, abolition of work, the violation of workers' rights, social dialogue, Bosnia and Herzegovina*

**ABSTRACT** - *Ideological framework of neo-liberal paradigm and a program framework for the conduct of economic policies established by Washington Consensus intensified the historical conflict between labour and capital. The neoliberal paradigm excludes industrial policy because it proceeds from the neoclassical assumption of equality of labour productivity between countries, and the economic policy suggests the flexibility of the labour market, the absence of inflation and a fixed exchange rate. Such economic policies lead to the reduction of the country's competitiveness at the expense of work. In Bosnia and Herzegovina, the following disadvantages constitute problems for workers' rights violations in Bosnia, which causes abolition of work, namely: the neoliberal form of economic development, opening the problems of dual labour force and simultaneous existence of structural and cyclical unemployment. Mitigation of conflict between labour and capital in Bosnia and Herzegovina is possible to lead on two levels: firstly, the more powerful presence of the state in economic development stimulus (leading an active industrial policy and abandonment of macroeconomic stability at the expense of high unemployment) and, secondly, the opening of the social dialogue with all relevant participants who are interested in social dialogue and social improvement of working conditions.*

Znanstveni prispevek

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**KLJUČNE BESEDE:** *delo, družba, kapital, delavci, odpuščanje delavcev, kršenje pravic, socialni dialog, Bosna in Hercegovina*

**POVZETEK** - *Ideološki okvir neoliberalne paradigme in programski okvir za izvajanje gospodarskih politik, ki jih predvideva Washingtonski konsenz, je še poglobil zgodovinski konflikt med delom in kapitalom. Neoliberalna paradigma izključuje industrijsko politiko, ker izhaja iz neoklasicistične predpostavke o delovni produktivnosti med državami, omenjene gospodarske politike pa predlagajo prožnost trga dela, odsotnost inflacije in fiksen devizni tečaj. Takšne gospodarske politike vodijo k zmanjšanju konkurenčnosti države na račun dela. V Bosni in Hercegovini pa tovrstna politika vodi k težavam v zvezi s kršenjem pravic delavcev, katerega sestavni del je tudi odpuščanje delavcev, kot so: neoliberalna oblika gospodarskega razvoja, pojav problema dvojne delovne sile in hkratni obstoj strukturne in ciklične nezaposlenosti. Da bi omilili konflikt med delom in kapitalom, bi morali uvesti večjo reprezentativnost države pri vzpodbujanju gospodarskega razvoja (vodenje aktivne industrijske politike in opustitev makroekonomske stabilnosti na račun visoke nezaposlenosti) in vzpostaviti socialni dialog z vsemi ustreznimi sodelujočimi, ki si prizadevajo za socialni dialog in socialno izboljšanje delovnih pogojev.*

## 1 Instead of an introduction: neoliberal framework as incentive for conflict of labour and capital

For unsuccessful transition countries, such as Bosnia and Herzegovina, the already expressed problem of the mismatches between supply and demand in the labour market has deepened with the consequences of the global recession: together with the crisis, the cyclic cause of unemployment becomes simply added to the preceding structural unemployment which came out of many years of failure in the implementation

of neo-liberal model of economic development, as well as the Dayton disaggregated labour market of Bosnia and Herzegovina.

The ruling neo-liberal economic paradigm, through the rules of the Washington Consensus, is in the function of strict conservation and stimulation of private mega-capital and financial oligarchy, based on the principles of deregulation, privatisation, liberalisation of prices and liberalisation of the foreign trade (Stojanov, 2013).

With ethical judgment “the immorality of liberals”, Krugman (2010) recognises the ideological background of this doctrine in its orientation on fundamental grounds: low and stable prices (orientation to zero inflation) and fixed exchange rates. If we take into account the neoclassical treatment of work, expressed through the attitude of flexibility of wages and prices, which assumes that the domestic product is always at its natural level, and unemployment is always the question of the willing decisions of workers not to work, then, in the structure of liberal democracy, we reached basic relations of social relations - the conflict between labour and capital. Quantitative minimisation of the significance of work shows a constant decrease of the relative share of labour in the structure of GDP: in the last 30 years the labour participation decreased from 75% to 68%, while the capital increased from 25% to 32% (Mencinger, 2008, p. 2).

Ideological and programmatic imposition of such a form of the Washington Consensus to small and for the transition unprepared countries such as Bosnia and Herzegovina, as few critics noticed since the transition started, the logical consequence is the lack of understanding of the basis of the market economy and the basis for institutional reforms. This approach, on the one hand, derives from “excessive reliance on academic neoclassical models of the economy”, that understands universal liberalisation and privatisation “as a sign of success” and not as a means of achieving development perspectives. And, on the other hand, the reduction of the economic neoliberalism on a small number of instruments (macro-economic stability, trade liberalisation and price with an open economy and privatisation), which will very quickly create a market, which will soon reallocate resources and allocate them to efficient owners. Hence, “the fact that privatisation has failed to establish the foundations of a market economy are not a coincidence, but a logical consequence of the way in which it was conducted” (Stiglitz, 1998).

The end result of this approach, as was pointed critical thought (Stiglitz, 1998; Stiglitz, 2003; Kolodko, 1999; Kolodko, 2000; Horvat, 2007), which is also manifested in the case of Bosnia and Herzegovina, is the following: (1) the private market, without adequate institutional structure, may give impetus only to the process of selling of state assets, (2) if the markets open too quickly to competition, before the establishment of strong financial institutions, the existing employment will be further deepened, (3) the policies underlying the Washington Consensus may provide only short-term stability, but no long-term growth.

In contrast, the attitude of the World Bank on the model of macroeconomic policy in Bosnia and Herzegovina speaks of its positive effect on the consolidation of the stability of Bosnia and Herzegovina, because of the established price stability and

the exchange rate on the strict adherence to a Currency Board regime. In addition, one argues that such macroeconomic policies limiting the potential of the country's economy will be solved "by accelerating key structural reforms, including improving the business environment and increasing the degree of flexibility of the labour market" (World Bank, 2005).

Such ideological framework of neoliberal paradigm and by the Washington Consensus established programming framework for the conduct of economic policy, sharpened the historical conflict between labour and capital.

With such policies in Bosnia and Herzegovina, the labour market is more flexible with the imperative to reduce wages in order to attract foreign capital. In measuring global competitiveness (World Economic Forum, 2012), within the VII pillar of efficiency of the labour market, according to the indicator of wages and productivity, Bosnia and Herzegovina stands at 98<sup>th</sup> position, which is well below its place at the overall scale of competitiveness (according to the Sustainable Competitiveness Index - SCI, Bosnia and Herzegovina is on the 88<sup>th</sup> position out of 144 measured countries). The analogy of research in Croatia (Sever and Associates, 2010; Stojanov, 2013) says that "the labour is not as expensive as it is commonly argued," but that labour productivity is much lower than in developed EU Member States".

The neoliberal paradigm excludes industrial policy as it starts from the neoclassical assumption of equality in labour productivity between countries, and it suggests, to economic policies, dominant flexibility of the labour market, the absence of inflation and a fixed exchange rate (see previous paragraph of the World Bank to Bosnia and Herzegovina). It is clear that such economic policies lead to impairment of competitiveness of the country at the expense of the position of labour and to opening a conflict of the society of labour and society of capital.

## **2 Global recession impinges into subsistence of society of labor**

According to the World Bank for South East Europe (World Bank 2015), in 2015, Bosnia and Herzegovina can expect modest economic growth of 1.5%. This is a slight shift from 2012 when zero growth was recorded. The registered unemployment rate in Bosnia and Herzegovina reached a record level and it is, according to the latest available statistical indicators, 44.4%. In the year of the deepest recession, at 2009, when the growth rate dropped to - 2.9%, 41,000 jobs were lost. At the beginning of 2013, Bosnia and Herzegovina has recorded the highest number of unemployed in its history: 550,574 people, while the number of employees compared on 2011 decreased by 0.3%.

The global recession brings downturn of economic activity, insolvency of the real sector, problems financing the current income, slowing growth and development of companies, depression of spending of the citizens and aggregate consumption. It follows further reduction the sales market and falling production, and according to a

survey we conducted in 2009<sup>1</sup>, managers do not exclude the possibility of opening the list of “missing the companies in a time of crisis”.

However, the recession does not bring the mere reduction of economic growth and the expansion of poverty, but also impinge on the existence of “society of labour”, which was, in the past four decades seriously broached by neoliberalism. In the conflict between labour and capital, which was voiced more than a decade ago by Latouche as criticism of the triumph of secondary sociality western modernity at the cost of visible deletion of each sociability and suppression of other forms of sociability (Latouche, 1998, pp. 80-82), neoliberalism is permanently on the side of capital. But, while the power of capital over labour and the financial domination over the real capital have been pretty blurred by the establishment of liberal democracy, the global recession finally crashes neoliberal institutionalised myth of market society in which all participants of the market game have benefit, and reveals that the problem of social relations is not only economic but and epistemological and anthropological. The recession fully discloses “putting the market” on the side of capital, widening Gorz’s fear (Gorz, 1997, pp. 16-17) of the collapse of civilization and the implosion of the globalised world and financelised economy as possible consequences of mass cancellation of work and deterioration of labour substances which cannot serve the valorisation of capital. Specified attitudes of Latouche and Gorz’s are given according to Mestrovic (2001, pp. 32-33).

Predicting a drastic reduction of the sales market and the reduced volume of business, according to the above mention survey, the companies announced further staff reductions. In the period of recession, in the structure of qualifications of employees for which the need will seize to exist, unskilled workers dominate (it is expected in 70% of companies). This confirms the thesis that the penetration of economic globalisation, of which negative effects recession dramatically deepens for the unskilled workers, and reduces the need for unskilled labour. According to the declaration of the majority of managers (90%), workers with higher qualifications will not come under redundancy effect, which confirms the second part of the thesis of the positive impact of globalisation on employment creation especially for skilled workers based on modern technology and the economy of knowledge. The demand for highly skilled jobs in the modern economy of knowledge will grow, and the demand for unskilled labour will decline. Unskilled workers will furthermore drop out from the game, while those who can compete on labour market will earn well. With further technological development and the creation of knowledge-based economy, the need for unskilled workers will become increasingly smaller, and the result will be a growing gap in income. The crisis will increase the flexibility of the market, which brings with it increasing inequality and uncertainty.

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<sup>1</sup> Survey entitled “The impact of global recession on the (un) employment in the metal sector in Tuzla Canton” for 2009 we have carried out for the needs of the Cantonal Committee of Independent Trade Unions of TK in February 2009. No matter how territorial and sectoral limited, crisis paradigmatic metal sector provides a valid analogy with the situation and trends in the relationship between labor and capital of BiH as a whole (see: Hodzic, 2009).

Hence the first effects of the recession we find in the world of labour. With tertiarisation of economy, labour is included in the process of increasing to a higher level of qualification. This process rejects those members of society who cannot fit in it. This is confirmed by the fundamental dynamics of neoliberal exclusion of significant segments of the population with primary market. The conclusion of J. Young (Young, 1999: 20-21) is: neoliberalism not only tried to narrow the boundaries of the state, but was allowed to limit civil society. Actuarial cordon sanitaire sharply separates the world of losers from the world of winners (according to Mestrovic 2001: 39). The index of general social exclusion in Bosnia and Herzegovina, which in 2006 showed that 50.32% of the population “in a certain way excluded from society”, while 21.85% of the population is “extremely socially excluded” (Papic, 2009, pp. 263), could be significantly increased in the years to come!

Almost half of the managers from the mentioned survey do not exclude the possibility that a certain number laid-off workers could be substituted with the recruitment of temporary and casual workers. By all odds, according to the survey, 80% of managers believe that the remaining workers who retain their jobs will have reduced wages, while only 20% of managers believe that the crisis will have no effect on the reduction of salaries. It is indicative that most managers would be willing to pay even higher wages to skilled workers in relation to the payment of wages in 2008. In addition, 20-30% of managers expected to open up the possibility of hiring new highly skilled workers.

In the perception of the impact on easing the crisis, managers expect that country start up the salvation of capital. A small number of managers (30% of them) considers that the effects of the crisis can be alleviated by own forces, while the majority (70%) expect help from the state as exclusive authority to pull the companies out of crisis. In the “capital protection”, managers expect from state: (a) tax relief (including the reduction of contributions and taxes, and the write-off of residual taxes and contributions), (b) the protection of domestic production (including incentives such as favourable loans for the creation of new or preservation of existing jobs, opening credit lines for exporters, subsidised interest rates for investment and activation of allowed anti-dumping measures), (c) the opening of public investment projects that would eventually raise the demand for outputs of economic sectors, as well as encouraging public-private partnerships in the investment activities (d) the preparation of development projects to be financed from EU funds and international financial institutions.

Absent questions related to the “protection of labour”, since it is only 20% of managers who perceived assistance of state through the resolution of social status issues of workers, such as tying years of service to workers and problem solving of retirement of workers on a credit basis. Way to “protect capital”, by sending the workers “on hold”, as a particularly pronounced problem in Federation of Bosnia and Herzegovina, is rough - it happens that employers by unilateral decisions, without explanation, send the workers on hold, neglecting the employment contract and its obligations, regulated by Article 70 of the Labour Law of Federation of Bosnia and Herzegovina, which concerns primarily the financial compensation during the cessati-

on of work. The amount of compensation is determined by the Collective Agreement, book of rules and employment contract, but in practice it is usually determined by the employer, and employees mainly seek protection of their rights on this issue in court (SEE Portal, 2009).

### **3 Problems of employees – violation of workers’ rights**

Since Charles Fourier, the utopian philosopher, first drew attention to the right to work, this term in the 18th, 19th and 20th century was opened as one of the most pressing political, social and economic issues resulting from the treatment of fundamental human rights and material well-being of individuals. By the end of the 20th and the beginning of 21st century, the approach to protecting the right to work was further complicated by an economic ideology of neoliberalism, and increased global competition, which ended up in the global recession, deteriorated labour conditions and standard of workers. For radical critics of neo-liberal economic ideology in the transition the conflicts in society have grown tense to such an extent that the question, whether to re-actualise “class struggle”, can be asked, which is why “it is necessary to revise the thesis about the wear of the idea of class struggle between workers and owners of capital” knowing that “the right to the protection of workers’ rights were transferred to the rights of private owners of property, which obtained authorisation to arbitrarily regulate the rights of labour relations” (Golubović, 2008).

In the “specific specificities” of Bosnia and Herzegovina (Stojanov, 2000, p. 48), these disadvantages have a special form which determines us to define something that could mark as the framework for violations of workers’ rights in Bosnia and Herzegovina, and which constitutes the problems of Bosnian and Herzegovinian abolition of work: (1) neoliberal form of economic development, (2) the opening of the problem of the dual labour force, including the occurrence of atypical forms of work and (3) alarming structural and cyclical unemployment. The right to work and protection of workers’ rights are amongst the largest problems in the field of human rights in Bosnia and Herzegovina, since their violation does not arise from individual cases of non-compliance with workers’ rights, but derives from the system framework and ideological neoliberal form by which Bosnia develops. The violation of these rights directly prevents economic development and is contrary to the stable democracy and the functioning of markets in general.

It should be noted that in Bosnia and Herzegovina one approach is seen, and truly can be found in other countries, and is concerned with the problem of dual labour force in the workforce. In fact, there are those who work in state and public sector, in some large companies - whose rights are protected and covered by collective agreements. Unlike them, there are a large part of the workforce that is completely unprotected, from those who work illegally, those who work in small private enterprises where there is no union organisation, to those who work in sectors where the average wage is less than the amount needed to cover monthly basic needs – as known as “the

consumer basket” (manufacturing, construction, trade and catering) and those who work in companies in bankruptcy.

Workers’ rights in all these cases are not covered by trade union action, collective agreements, and is estimated that their number in Bosnia and Herzegovina reach up to 350,000 workers. According to research carried out by the Centre for Investigative Journalism (CIN), of this number, more than 240,000 people are working on the black labour market surviving on low and irregular salaries earned on such way. The most frequently violated rights of workers are related to: termination of employment, payment of accrued salary that are not paid, and severance pay (SEE Portal). As an illustration, it is stated that the provisions on termination of employment due to economic, technical or organisational reasons, as a result of inability of employee to perform work duties from employment (Article 87 of the Labour Law of Federation Bosnia and Herzegovina and article 124 of the Labour Law RS) are set “wide and imprecise and leave open the possibility of abuse by employers. The legislator did not define precisely “what is deemed justified dismissal”, but it was left to the “free assessment of the employer”. Besides that, blurs are the second part of “regulations concerning the liabilities of employees, and it is again left to the assessment of the employer”, so it is “easy to get into a situation that, for example, judgment on health capabilities of worker to carry out a job, is left to incompetent employer instead of experts from institutions responsible for health care”. In a wider context here, one would include the violation of rights in the field of ethnic difference of the workers who find themselves on the “wrong territory”, arising from the Dayton constituents, which remains a remarkable powerful source of human rights violations in Bosnia and Herzegovina (Stojanov, 2000). Ethnic (territorial) fragmentation and common disunity of trade union organisations, which relativises their convincing position they advocate, reducing the chances of social partnership of trade unions, employers and the state, that in democratic countries includes formalised and informal forms of cooperation and harmonisation of conflicting interests of the three sides on the regulation of labour and labour market. The general conclusion from the applied form of economic transition, from which all described “cases” are derived, reads as: violation of the right to work in Bosnia and Herzegovina have a systematic character!

Pattern of transition and post-war reconstruction of “Dayton” Bosnia and Herzegovina are constantly preoccupied with the problems of building a liberal society (markets and democracy), but more of his political than economic content which has consequently left in the shadow the economic and social rights or at least positioned them in the second row of social objectives in the country. This systematic neglect of these rights, which have struck precisely workers’ rights the hardest, derives from at least four reasons. The first reason is that the main attention after the democratic changes is focused on the protection of civil and political rights while socio-economic rights are neglected. That is the first paid tribute to the primary political goal of transition which had to be radical incapacitating any thought on the restoration of the previous political nomenclature. Secondly, the economic development of the country is entirely based on the neo-liberal pattern, based exclusively on macroeconomic especially financial

stability, which neglected the real sector that creates the material preconditions for job creation and application of the right to work. The first consequence of this quasi achieved macroeconomic stability in the country is alarming unemployment. Such situation threatens to breakdown the entire system of social protection to which it is not possible to answer using the classic measures to protect workers' rights. Thirdly, political tensions and ethno-national divergence lowered the threshold of social sensitivity of working classes, substituting them with theses on national endangerment, which are above the vulnerability of workers' rights. And finally, what further complicates the protection of these rights are known problems with the justice system and the efficiency of judicial protection of workers' rights. From the many examples in practice we testify that litigations are too long and that, prolonging the agony of those in violation of these rights, means endangering their basic living existence. This is due to the lack of development of legal mechanisms, particularly marked in the case of bankruptcies. As a result, today we have: the weak and divided unions, explicit grey labour market, then inactive professional organisations that should be involved and insufficient pressure on the state to fulfil given rights.

The economic development of Bosnia and Herzegovina is based on a neo-liberal form, solely based on macroeconomic, especially financial stability. The reduced market transformation of Bosnia and Herzegovina in a very narrow number of elements in which it is developed will impact above all on macroeconomic stabilisation, where country enjoys exclusive and only stability of, so-called nominal indicators and they are: stability and convertibility of the local currency, fixed exchange rate and low inflation.

Actually, more than in other transition countries, in Bosnia and Herzegovina the (neoliberal) pattern of stabilisation is entered as the dominant economic goal in which monetary policy was given simultaneously or alternatively two tasks: development and stability. Supported by other measures, monetary policy gives some results in overcoming the recession and curbing inflation, but experience shows that successfully does not eliminate the second problem: when it overcomes the recession it does not bridle inflation and when inflation is restrained, it does not provide sufficient development (Perišin and Šokman 1988).

Monetarist fallacy ignores the structural characteristics of the real economy - economic growth, current account and unemployment, and the economic success overemphasises the role of low inflation. The latter case is confirmed by the example of Bosnia and Herzegovina, in which, every macroeconomic stability is fragile if there is no acceleration of the economy, and increase productivity and thus the competitiveness of the country. With axiomatic view that macroeconomic stability is a precondition for sustainable economic growth, application of the neoliberal concept is by far well contributed to the establishment of a quasi-macroeconomic balance in the country, with alarming registered unemployment rate. With the failure of economic reforms, the need to develop protection of economic and social rights of workers has been completely ignored, and the fragility of protection in terms of the global recession was created.

## **4 Conceptual disagreements between bosnian economists as theoretical fundation of support to society of labour and/or society of capital**

The underlying divisions present in domestic economic opinion in Bosnia and Herzegovina today are similar to those which appeared at the beginning of the transition process in most former socialist countries: there is a dominant group which is markedly neoliberal in orientation, with a second group that is critical of the application of ready-made neoliberal nostrums, and a third group of observers, preoccupied with issues which lie outside the contested areas in current economic thought (Hodžić, 2015, pp. 32-47).

### *4.1 The neoliberal group of Bosnian economists*

The neoliberal group developed a certain faith in the power of the market as the answer to all the country's developmental problems and so adopted and continues to promote, within that framework, the neoliberal option of building a market society in Bosnia and Herzegovina. Such opinions are, in fact, an expression or version of the neoliberal principles of the Washington Consensus as taken over and introduced into the country by representatives of the international community, the real standard bearers of the process of transition, and so of macroeconomic stabilisation and privatisation. Consequently, for the dominant current, acceptance of liberal doctrine has rather been an expression of political and ideological allegiance than one of the authentic production of liberal ideas within the country.

In any case, there has not been enough time for a domestic liberal worldview to develop, particularly since liberal ideas have not traditionally a historical foothold amongst Bosnian and Herzegovinian economists. During the period of socialism, there was no indigenous development in Bosnia and Herzegovina even of the Yugoslav polemics on property-based and non-property-based conceptions of social property, the property-based ones of which reflected a certain liberalisation in attitudes towards ownership. In fact, it has, for the most part and somewhat indiscriminately, been the members of the governing institutions and their economic advisers who have presented these ideas, both explicitly and implicitly.

They are regularly the co-authors of studies produced by the World Bank and the IMF on the economic problems of or development projections for Bosnia and Herzegovina. Moreover, their approach has involved less robust advocacy of radical and comprehensive neoliberal prescriptions for transition in Bosnia and Herzegovina, than simply reflected the acceptance and adoption of neoliberal nostrums, without any serious theoretical discussion and certainly without any grounding in the original ideas of the leading advocates of radical and comprehensive neo-liberal prescriptions for transition (like Sachs, Lipton, Gros, Steiner or Kennett and their respective packages) or in the views of the political creators and standard bearers of the economic policies of transition (during the first decade of the implementation of transition, the leaders in promoting and actually implementing liberal ideas included V. Klaus in the Czech Republic, Balcerowicz in Poland, Gaidar and Chubais in Russia, and P. Aven and M.

Laar in Estonia). The promoters of these and similar neoliberal approaches in Bosnia and Herzegovina included: Zlatko Hurtić, former chief adviser to the Council of Ministers of Bosnia and Herzegovina, and professors Hasan Muratović (former Chair of the Council of Ministers of Bosnia and Herzegovina), Jadranko Prlić (another former member of the Council of Ministers of Bosnia and Herzegovina), Stijepo Andrijić, Slaviša Raković, Meho Bašić, Marko Beroš, Mirko Marković and Novo Plakalović. This group presented a neoliberal vision of economic growth, macroeconomic stability and liberal democracy based on a general model of an open economy and a shock therapy approach to transition in Bosnia and Herzegovina (rapid and thoroughgoing privatisation, heavy reliance on small to medium enterprises as the new paradigm for economic development, and the fragmentation of large industrial combines, etc.). In the first flush of enchantment with private ownership, one of the protagonists of these opinions proclaimed that “the character and reach of the current war in Bosnia and Herzegovina and Croatia is significantly connected to the absence of private property as the dominant form of ownership” (Beroš, 1994, p. 11).

Most of the developmental studies and documents sponsored by the “international community” were based on some concept of neoliberal reform and the real degree of participation by local economists as co-authors of the studies is quite unclear, that is, whether they played a real role in drafting the studies or were simply added as co-authors on the basis of positions held in various ministries and government agencies, particularly as a number of them would later express significantly different positions in their own works (examples include professors Mladen Ivanić, Mirsad Kikanović, Jusuf Kumalić, and Mesud Sabitović). The contingency of their support for neoliberalism, as expressed in official documents and official statements, was clear, in so far as it was often abandoned once these authors were at work in independent, local publications.

From the series of such cases, we may single out the examples of Ivanić’s textbook on the Principles of Economics (Ivanić, 2000), which even retains Marxist terminology to a certain degree, of Sabitović’s text in the collection on “The impact of the transformation of ownership on unemployment and employment” (1999, pp. 41-49), of A. Milojević, who in later statements to the media (from 2010) and in books “Factory workers and citizens” (2015) called for “a return of the state to the economy”, and even of Prlić himself, whom we have already met as one of the foremost advocates of neoliberalism in Bosnia and Herzegovina, who himself admits “that a simplified understanding of the Washington consensus for political propaganda use in trivial pseudo-academic constructions does not provide an adequate formulation. This is particularly the case, when there is a form of macroeconomic equilibrium (albeit with high levels of unemployment).” One of the protagonists of this group has even claimed that, during the current period of recession in Bosnia and Herzegovina, “there is, for a country like ours, now no alternative to the concept of market economics and liberalisation” (Prlić and Marić, 2008, p. 477).

Amongst local studies driven by this concept, it is worth mentioning the Mid-term development strategy for 2004 to 2007 (Sarajevo, 2004), which advocated further

liberalisation and opening up to foreign markets, and the Private Sector Development Plan, developed under the aegis of the International Business Forum Perspektive – Tuzla (1999), which included no fewer than 38 tailored measures, including a call for bolder penetration by the private sector to communal services, the infrastructural sector and to health insurance and pensions, along with the restriction of workers' rights in labour law, as well as the withdrawal of any form of lending to companies not in private hands.

#### *4.2 The critics of the neoliberal proposals*

The second group of economists took a critical approach to the application of off-the-peg neoliberal prescriptions, particularly in an unprepared country like Bosnia and Herzegovina. This was an ideologically and intellectually diverse group of critics of neoliberal nostrums, including some advocating pro-Keynesian viewpoints (professors: Dragoljub Stojanov, Dušan Jakšić, Žarko Papić, Kadrija Hodžić, Fikret Čaušević, Manojlo Babić, Aleksa Milojević, and journalist Eldar Dizdarević), others advocating a form of welfare liberalism (Esad Vilogorac, Boris Tihi, Anto Domazet, Nikola Grabovac, Rajko Tomaš, Vjekoslav Domljan, Fahrudin Šebić, Svetlana Cenić, Mirsad Kikanović, Damir Miljević and Izudin Kešetović), and a few representing traditionalist socialist views (Mićo Carević, Franjo Kožul, Branko Bijelić, Sabrija Pojskić, and Dragutin Bošković), while more recently this space of critique of the global neoliberal and transition right wing has also been occupied by a group of young new-leftists, led by Vuk Bačanović. The first two groups, but particularly the pro Keynesians, advocate a gradual approach to transition in Bosnia and Herzegovina and in general, follow a similar critical orientation and espouse similar critical views to their global colleagues J. Stiglitz, D. Ellerman, D. North and G.W. Kolodko, and others, for whom the lesson of the neoliberal project of transition is that it is essentially a banal experiment with no proper scientific basis, and indeed to those developed by colleagues of a similar orientation in the other countries of South Eastern Europe (including B. Horvat, J. Mencinger, S. Zdunić, V. Baletić, O. Kovač, and D. Vojnić).

The fundamental and consistent critique directed by the pro-Keynesian economists at the transition package for Bosnia and Herzegovina boils down to a critique of the policy of privatisation and macroeconomic stabilisation combined with excessive dependency on the concept of small-to-medium enterprises. Their concrete objections to the transition package are: firstly, that it reduced macroeconomic stabilisation to a rigid monetary policy and “a sound fiscal policy”, an approach which left no room for an active economic policy and in which discretionary fiscal policy is entirely disregarded; secondly, that macroeconomic stability is tabled as a goal of transition and not a principal precondition, which has contributed to establishing a quasi-macroeconomic equilibrium in the country, accompanied by alarming levels of unemployment and a balance of payment deficit, a model of reductive macroeconomic stability that has been characterised as “nominal, but certainly not true stability” (Stojanov, in a number of works between 1997 and 2008) or as “quasi-macroeconomic stability” (Hodžić, 2006); and thirdly, that privatisation as carried out involved distinct risks for the future of Bosnian and Herzegovinian society (Stojanov, 2000; Babić, 2006), both because it

was a form of “ethnic privatisation” and because of the long fostered, but unrealistic expectation that privatisation would, in and of itself, lead to an increased economic efficiency and so, over the long-term, to the increase in employment. We may note a distinguished continuity of such critical reviews of neoliberalism (by such authors as Papić, Čaušević, Stojanov, Domljan, Domazet, Tomaš, Hodžić, and Miljević), published under conditions both of growth and of global recession, in three issues of the distinguished journal, »Forum Bosnae,» between 2008 and 2011, entitled respectively: *The Economics of Rapid Development* (2008), *The Crisis of the Bosnian and Herzegovinian Economy* (2009) and *The Economic and Social Future of Bosnia and Herzegovina* (2011).

The traditionalist socialist critique of the free market and of privatisation has been offered by left-wing intellectuals from scholarly neo-Marxist circles. In so far as privatisation is the key distinguishing element of the transition package, we find a greater focus of attention amongst left-wingers on problems of ownership. At play are more or less negative and reactionary responses to the results of the project of privatisation and transition generally. Most of them find even the phrase transition unacceptable and speak more readily of reforms. It can, nonetheless, sometimes be difficult to distinguish them from the Keynesian advocacy of gradualist privatisation: on the one hand, they all share practically the same critique of the shock therapy approach to privatisation, while on the other all agreeing that private ownership cannot be the fundamental form of ownership relations. In contrast to the preceding set of opinions, however, the necessity of privatisation itself is being questioned here. In most cases, we are in fact dealing with advocates of some form of workers’ capitalism, who remain attached to the idea of workers’ co-ownership (popular capitalism with worker-shareholders as the method of privatisation). This approach had many adherents at the beginning of transition throughout the former Yugoslavia, and was represented in Bosnia and Herzegovina by a collection published before the war on “The Introduction of Internal Shareholding in Social Enterprises and the Reorganisation of these Firms into Shareholding Companies in Ownership” (1990).

After the war, a certain number of economists continued to advocate the idea of employee shareholding as the most acceptable method of privatisation (Pojskić). In their critique of privatisation, they start from an elaboration of the negative aspects of privatisation, while for Mićo Carević privatisation it lacks any positive correlation to economic and social development certainly does not represent “an economic necessity”, as it is “an ideologically and politically driven speculative measure”, aimed at reducing transition to a “restoration of capitalism” (Carević, 1997, pp. 128-132). He even introduces a version of conspiracy theory, with regard to “new forms of enslavement” by the West. Such pointed criticism of the privatisation programme has been published under the influence of left-wing critics of globalisation and transition, in particular the *Moscow Journal, Voprosiekonomiki*, which has developed its critical tone regarding transition and change “within the context of a discussion of problems related to seeking a new paradigm for native economic science”, and taking a stand

against the “domination of Economics” (e.g. the text by A. Buzgalin and A. Kolganov from 1998).

Such publications include the Belgrade published *Ekonomski anali*, whose critical editorial line regarding “the imposed liberal approach, which is unsuitable for the development of former socialist countries” (e.g. texts by M. Eremić, M. Marković, O. Kovač, M. Jakšić and others) was set particularly by the former editor, Professor Bogdan Ilić, and Šušteršič’s *Hrvatska ljevica* which has been filled by such texts, particularly by leftist authors like B. Denić, M. Križan, S. Žižek, V. Tkalec and S. Šušteršič. More recently (after 2010), a “United Front for Socialism and Democracy”, has appeared, particularly on web portals (e.g. *radiosarajevo.ba*), bringing together younger Bosnian and Herzegovinian left-wingers, led by Vuk Bačanović, and presenting a radical critique of neoliberalism, while looking for new paradigms for socialist economic solutions, or, as they say “for transformation of the economic system into a humane economy” (2011).

## 5 Conclusion

The area of labour rights in Bosnia and Herzegovina is unsettled, social dialogue undeveloped, social inclusion almost unknown, economic situation in the country is critical; to large extent the existing positive legislation and the provisions of social and labour policy are not applied. Given the neoliberal perspective, underestimation of society of labour is due to last long. Mitigation of conflict between labour and capital in Bosnia and Herzegovina is possible to lead on two levels.

The first implies a stronger presence of the state incentives in economic development (overcoming quasi-macroeconomic stability and conducting active industrial policy). Secondly, it is necessary to open the general social dialogue in which it is necessary to retract all the relevant factors, from trade unions, employers and government to NGOs, political parties, who are interested in social dialogue and social improvement of working conditions. On the other hand, it seems relevant a thesis of Z. Papic (2008, p. 283) of the “economy of accelerated development in the framework of concept of human development”, and that concerns a “radical reversal”, first in strategies, and then in policies”: current “cost” in the social aspects of development could become “investment” – social inclusion would have changed the character of the traditional social protection, from help to passive users towards inclusion into the labour and social life.

Conditions of work, education or active labour market policies cannot be the sole responsibility of the state, nor entirely left to market forces. The social partners can play a key role in defining, explaining and implementing these policies.

Market and social solidarity are not contradictory, as the maintenance of employment is the most important instrument of social cohesion in society. Quality dialogue between representatives of workers and employers can help Bosnia and Herzegovina to get through the economic crisis. However, the absence of strong au-

onomous and independent social partners in Bosnia and Herzegovina, reduces the potency of the collective negotiations and settlement of labour disputes, making it necessary to “expand the scope of dialogue through collective agreements”, and “initiate consultation and dialogue with social partners on a wide range of issues related to labour and employment, including dialogue on labour laws, employment and labour and employment policies” (Employment Strategy Federation of Bosnia and Herzegovina 2008, p. 101). In the long-term context, the first and foremost thing in order to protect economic and social rights is to change the theoretical and ideological paradigm. The current pattern of economic development was based on the reduction of transitional package, on privatisation and restrictive monetary and financial policies, where, the need for more dynamic economy and job creation is completely ignored or cast aside. Solutions for the economic and social future of Bosnia and Herzegovina have to be sought in changes in economic dogmas and political settings.

This change can be expressed as follows: approach to economic growth that is based on the economics of production, instead of the applied concept based on the economics of demand and free market. Secondly, opening of the positive impact of approaching the EU: EU directives which need to be applied, imply permanent control of realisation of social and economic rights of workers, which represents the core of the European social model, which, inter alia, refers to issues (the candidate countries) such as protection of the right to work, then the relationship of male and female workforce, then also, related to the family rights deriving from labour, etc. The rights and obligations of labour relations, therefore, must be determined in accordance with international standards and the European Convention on Human Rights and Fundamental Freedoms. However, in Bosnia and Herzegovina, the first assumption is not fulfilled, since there is no unified Law on Labour Rights, but the Constitution of Bosnia and Herzegovina obliges the entities to implement international regulations and standards that refer to social dialogue.

*Dr. Kadrija Hodžić*

### **Konflikt med delom in kapitalom v času globalne krize v Bosni in Hercegovini**

*Ideološki okvir neoliberalne paradigme in programski okvir za izvajanje gospodarskih politik, ki jih predvideva Washingtonski konsenz, je še poglobil zgodovinski konflikt med delom in kapitalom. Neoliberalna paradigma izključuje industrijsko politiko, ker izhaja iz neoklasicistične predpostavke o izenačenju delovne učinkovitosti med državami, omenjene gospodarske politike pa predlagajo prožnost trga dela, odsotnost inflacije in fiksen devizni tečaj. Takšne gospodarske politike vodijo k zmanjšanju konkurenčnosti države na račun dela. V Bosni in Hercegovini pa tovrstna politika vodi h kršenju delavskih pravic, katerega sestavni del je tudi odpuščanje delavcev.*

Področje delavskih pravic v Bosni in Hercegovini ni urejeno, ni socialnega dialoga, socialna vključenost skoraj ne obstaja in gospodarske razmere v državi so kritične, obstoječa pozitivna zakonodaja in določbe o socialni in delovni politiki pa se največkrat ne upoštevajo. Glede na dosedanjo neoliberalno perspektivo, se bo podcenjevanje tega problema obdržalo še dolgo.

Glede na kazalnik plač in produktivnosti Bosna in Hercegovina zaseda 98. mesto, kar je precej pod njenim mestom na skupni lestvici konkurenčnosti (glede na indeks trajnostne konkurenčnosti (Sustainable Competitiveness Index - SCI), kjer je na 88. mestu od 144 držav).

Skladno s predvidevanjem drastičnega zmanjšanja prodajnega trga in zmanjšanjem obsega poslovanja, kot je bilo ugotovljeno v raziskavi z naslovom »Vpliv globalne recesije na (ne)zaposlenost v kovinarskem sektorju v kantonu Tuzla« iz leta 2009, so podjetja naznanila še nadaljnje odpuščanje zaposlenih. Glede na strukturo kvalifikacij zaposlenih - potrebe po njih se bodo v obdobju recesije zmanjšale - prevladujejo nekvalificirani delavci (predvideva se odpuščanje zaposlenih v 70 % podjetij). To potrjuje tezo, da prodor gospodarske globalizacije, katere negativne učinke na usodo nekvalificiranih delavcev recesija še pogloblja, dramatično zmanjšuje potrebo po nekvalificirani delovni sili. V skladu z izjavami večine menedžerjev (90 %), delavci z višjimi kvalifikacijami ne bodo zajeti v t. i. efekt odpuščanj, kar potrjuje drugi del teze o pozitivnem vplivu globalizacije na delovna mesta predvsem za kvalificirane delavce (v skladu z ekonomijo znanja), ki obvladajo tudi sodobno tehnologijo. Povpraševanje po visoko kvalificiranih delovnih mestih v sodobnem gospodarstvu znanja bo naraščalo in povpraševanje po nekvalificirani delovni sili bo upadalo. Zato prve učinke recesije najdemo na področju dela. S terciarizacijo gospodarstva se delovna sila aktivno vključuje v proces kvalificiranja na višjo raven. Ta proces zavrača tiste člane družbe, ki se ne morejo umestiti pod nobeno kategorijo, kar potrjuje temeljna dinamika neoliberalnega izključevanja pomembnih segmentov prebivalstva s trga dela.

Skoraj polovica menedžerjev iz omenjene raziskave ne izključuje možnosti, da bi lahko določeno število odpuščenih presežnih delavcev nadomestili z zaposlovanjem začasnih in priložnostnih delavcev. Z vidika vpliva na olajšanje krize menedžerji pričakujejo, da bo država tista, ki bo pričela reševati kapital. Majhno število menedžerjev (30 %) meni, da je moč ublažiti posledice krize z lastnimi silami, medtem ko večina (70 %) pričakuje pomoč od države kot edinega pristojnega organa za reševanje podjetij iz krize. V zvezi z "zaščito kapitala" menedžerji od države pričakujejo: (a) davčne olajšave (vključno z zmanjšanjem prispevkov in davkov ter odpisom preostalih davkov in prispevkov), (b) zaščito domače proizvodnje (vključno s spodbudami, kot so ugodna posojila za ustvarjanje novih ali ohranjanje obstoječih delovnih mest in odpiranje kreditnih linij za izvoznike, subvencionirane obrestne mere za naložbe in aktiviranje dovoljenih protidampinških ukrepov), (c) odprtje javnih investicijskih projektov, ki bi sčasoma lahko dvignili povpraševanje po proizvodih v gospodarskih sektorjih, pa tudi spodbujanje javno-zasebnih partnerstev v investicijske aktivnosti in (d) pripravo razvojnih projektov, ki se financirajo iz sredstev EU in mednarodnih finančnih institucij.

*V Bosni in Hercegovini je le en pristop, ki ga lahko zasledimo tudi v ostalih državah, ukvarja pa se z vprašanjem dvojne delovne sile. Dejstvo je, da imamo na eni strani tiste, ki delajo v državnem in javnem sektorju ali v nekaterih večjih podjetjih, čigar pravice so zaščitene in določene v kolektivnih pogodbah. Na drugi strani pa je velik del delovne sile, ki je v celoti nezaščiten: od tistih, ki delajo nezakonito ali v manjših podjetjih, kjer ni sindikatov, do tistih, ki delajo v sektorjih, kjer je povprečna plača manjša od zneska, ki je potreben za pokritje osnovnih mesečnih potreb, oz. »potrošniške košarice« (predelovalne dejavnosti in gradbeništvo, trgovina in gostinstvo) in tistih, ki delajo v podjetjih v stečaju.*

*Pravice delavcev v vseh teh primerih niso krite s strani sindikatov niti s kolektivnimi pogodbami in ocenjeno je, da njihovo število v Bosni in Hercegovini znaša do 350.000. Splošni zaključek iz omenjene oblike ekonomske tranzicije, od koder izvirajo vsi opisani »primeri«, se glasi: kršitve pravic do dela v Bosni in Hercegovini so sistematične!*

*Vzorec tranzicije in povojne obnove »Daytonske« Bosne in Hercegovine se nenehno ukvarja s težavami pri izgradnji liberalne družbe (trgi in demokracija), ampak bolj je njegova politična kot ekonomska vsebina tista, ki je zasenčila ekonomske in socialne pravice, oz. jih umestila v drugorazredne socialne cilje v državi.*

*Ekonomski razvoj Bosne in Hercegovine temelji na neoliberalni obliki, ki bazira izključno na makroekonomski ravni, zlasti na finančni stabilnosti. Okrnjeno tržno preoblikovanje Bosne in Hercegovine se razvija predvsem na makroekonomski stabilizaciji, pri čemer država pridobi največ stabilnosti tako imenovanih nominalnih indikatorjev. To so: stabilnost in konvertibilnost lokalne valute, fiksni devizni tečaj in nizka inflacija. Bistvena razhajanja mnenj, ki so prisotna v domačem ekonomskem okolju Bosne in Hercegovine, so danes podobna tistim, ki so se pojavila na začetku tranzicije v večini nekdanjih socialističnih držav: obstaja prevladujoča skupina, ki je izrazito neoliberalno naravnana, druga skupina, ki je kritična do uporabe predpripravljenih neoliberalnih rešitev, in tretja skupina opazovalcev, brezposlenih z vprašanji, ki so zunaj spornih območij v trenutni ekonomski misli (Hodžić, 2015, str. 32-47).*

*Neoliberalna skupina je razvila neke vrste vero v moč trga kot odgovor na vse razvojne probleme države in tako znotraj teh okvirov sprejema ter izvaja promocijo neoliberalne opcije izgradnje tržne družbe v Bosni in Hercegovini. Druga skupina ekonomistov je kritično pristopila k uporabi standardiziranih neoliberalnih navodil, še zlasti v nepripravljeni državi, kot je Bosna in Hercegovina. Ena je bila ideološko in intelektualno razgibana skupina kritikov neoliberalnih rešitev, vključno z nekaterimi zagovorniki keynesijanskih vidikov, drugi so zagovarjali obliko t. i. welfare liberalizma, nekaj pa jih je predstavljalo tradicionalne socialistične vidike.*

*Temeljna in dosledna kritika tranzicijskega paketa za BiH v režiji keynesijanskih ekonomistov je bila osredotočena na kritiko politike privatizacije in makroekonomske stabilizacije v kombinaciji s preveliko odvisnostjo od koncepta malih in srednje velikih podjetij. Pogoji za delo, izobraževanje ali aktivne politike na trgu dela ne morejo biti izključno odgovornost države, niti v celoti prepuščeni tržnim silam. Socialni partnerji lahko igrajo ključno vlogo pri določanju, razlagi in izvajanju teh politik. Trg in so-*

*cialna solidarnost se ne izključujeta, ker je ohranjanje zaposlenosti najpomembnejši instrument socialne kohezije v družbi. Kakovost dialoga med predstavniki delavcev in delodajalcev lahko pomaga Bosni in Hercegovini prebroditi gospodarsko krizo.*

*V dolgoročnem kontekstu je prva in najpomembnejša stvar za zaščito ekonomskih in socialnih pravic spreminjanje teoretične in ideološke paradigme. Trenutni vzorec gospodarskega razvoja temelji na redukciji tranzicijskega paketa, na lastninjenju in restriktivni monetarni in finančni politiki, kjer je bila potreba po bolj dinamičnem gospodarstvu in ustvarjanju novih delovnih mest povsem prezrta ali odrinjena. Rešitve za gospodarsko in socialno prihodnost Bosne in Hercegovine je treba iskati v spremembah ekonomske dogme in političnega okolja. Ta sprememba se lahko izrazi kot pristop h gospodarski rasti, ki temelji na ekonomiji proizvodnje, namesto da se še naprej uporablja koncept, ki temelji na ekonomiji povpraševanja in prostega trga. Kot naslednji ukrep se vzpostavi pozitiven vpliv približevanja EU. EU direktive, ki jih je treba uvajati, pomenijo stalni nadzor nad realizacijo ekonomskih in socialnih pravic delavcev, kar predstavlja jedro evropskega socialnega modela, ki se med drugim nanaša na vprašanja (držav kandidat), kot so na primer varstvo pravice do dela, razmerje med moško in žensko delovno silo, pravice družin, ki izhajajo iz delovnih pravic, itd. Pravice in obveznosti na področju dela morajo biti določene v skladu z mednarodnimi standardi in Evropsko konvencijo o varstvu človekovih pravic in temeljnih svoboščin. V Bosni in Hercegovini sicer ni mogoče zadostiti prvi predpostavki, saj ni enotnega zakona o delavskih pravicah, vendar ustava BiH zavezuje pravne osebe k upoštevanju mednarodnih pravil in standardov, ki se nanašajo na socialni dialog.*

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