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Occupational Hazard In Postwar Bosnia - Overruling Voters To Save Democracy

International Overseer Purges Elected Officials at Will; 'Why Me?' Gets No Reply

'There Is an Inherent Paradox'

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SARAJEVO, Bosnia and Herzegovina -- On a sunny June afternoon, Slavko Tosovic, the mayor of a booming Serbian suburb of Bosnia's capital, was driving along a country road feeling relaxed. Weeks earlier, a regional security organization had praised his administration for transparency and efficiency. He seemed assured of victory in coming elections.

Then he heard his name mentioned on the news. Mr. Tosovic and 58 other Bosnian Serb officials, from lawmakers to mayors to public-utility managers, had been fired, effective immediately. Mr. Tosovic was also prohibited from running in future elections, holding any office in a political party, or any job in the public sector. There was no way to appeal. "The only right I have left after this is to breathe," he says.

The purge, one of many Bosnia has seen in recent years, was the work of an international civil servant named Paddy Ashdown, who carries the title of high representative here. Named by representatives of the six largest Western democracies plus the European Union, Russia, Turkey and Japan -- the countries most invested in keeping the peace in Bosnia -- Mr. Ashdown oversees a nation-building project now approaching a decade in progress.

Afghanistan and Iraq, nation-building efforts still in their infancy, dominate the public's attention today as both countries grope their way toward elections. Bosnia, on the other hand, is among the longest-running Western attempts to inculcate democracy in war-shattered lands. Nine years after a vicious war that killed 200,000 people and turned half the population of some four million into refugees, the country enjoys a level of security and international backing that far surpasses Afghanistan, Iraq and even the nearby United Nations-run protectorate of Kosovo.

But even here, in a small and relatively developed European country, getting democracy to take root has proved elusive. Though Bosnia already has held four national elections since the war's end and has scheduled a new round of municipal elections for tomorrow, the real power -- including authority to overturn popular will -- remains firmly in the high representative's hands.

Mr. Ashdown keeps using his near-dictatorial control to oust Bosnian officials he decides are behaving in ways that undermine democracy and reconciliation. Since 1997, Mr. Ashdown and his predecessors dismissed almost 200 politicians across the country's ethnic divide, including elected presidents, ministers and judges. Bosnian Serbs aren't the only targets. The list includes the country's Croat co-president and senior officials of the Muslim-Croat half of the country, including the Muslim head of intelligence and the Muslim minister of agriculture. Parts of the Bosnian constitution and even the design of the nation's flag have all been devised and enacted by foreign civil servants.

The reasons behind many of the dismissals are often left unexplained, and it's far from clear that the eventual result will be a democratic Bosnia. Even Mr. Ashdown, the former leader of Britain's small Liberal Democratic party, concedes that the extent of his authority "ought to make a liberal blush."

Today's authoritarian structure grew out of the breakup of the former Yugoslavia, Europe's bloodiest conflict since World War II. The hostilities here began in 1992 after the Muslim-led Bosnian government declared independence from Belgrade. Bosnia's Serb minority, determined to remain in a Serb-run Yugoslavia, launched a war that ended only in late 1995, after American air strikes on Bosnian Serb positions brought warring parties to peace talks at Dayton, Ohio. The Dayton accords divided Bosnia into two autonomous entities, one predominately Serb and one a Muslim-Croat Federation. The accords also created Mr. Ashdown's powerful job overseeing the country and its two regional governments to ensure that fighting doesn't flare up again.

Many of Bosnia's elected leaders believe that such international interference was indispensable early on, to prevent a return of the horrific ethnic violence and give passions time to cool. "I'm not sure that, in a postconflict place like Bosnia-Herzegovina, you can democratize the country with democratic means," says Adnan Terzic, the nation's current prime minister.

But now there's growing debate about whether enlightened neocolonialism is stunting democracy instead of laying its foundation. "It was good to have this in our past," Mr. Terzic says about international tutelage, "but we shouldn't have it in our future."

Some argue that Bosnia's protectorate status has led to more polarization. With the exception of a short-lived and fractious nonnationalist government in 2001-2002, the Bosnians kept voting along ethnic lines, rewarding the same belligerent parties that dragged their country into war. Once elected, these politicians pandered to populist passions and shirked from adopting necessary reforms -- from the establishment of an indirect tax authority to a new criminal code -- betting, correctly, that Mr. Ashdown would do it for them.

More ominously, democratic participation has plummeted. Turnout at the latest national elections, in 2002, sank to 54%, down from 64% in 2000 and 71% in 1998. Even fewer voters are expected to show up for municipal elections this weekend. "This is not the way that democracy can be built here," says Dino Abazovic, director of the Human Rights Center at Sarajevo University and a prominent voice in the growing chorus of critics of the status quo. "The high representative is sovereign here, he has total power. There is no effective mechanism to change his decisions."

This lack of democratic checks and balances and human-rights safeguards is already becoming a stumbling block on Bosnia's road toward integration into European institutions -- an integration designed to guarantee that the

horrors of the 1990s won't be repeated. One of the first European institutions that postwar Bosnia joined, in 2002, was the Council of Europe, a grouping of 45 European democracies. But a report to the Council's Parliamentary Assembly in June warned that Mr. Ashdown's domination of government might be violating Bosnia's human-rights commitments to a degree incompatible with continuing membership in the organization. Acting on these findings, the assembly called on the high representative to stop removing Bosnia's elected officials and judges. Barely a week later, Mr. Ashdown fired Mr. Tosovic and the 58 other Bosnian Serb politicians.

Mr. Ashdown jokes that "my job is to get rid of my job." And he agrees that his role may have to be rethought -- and maybe limited -- as Bosnia deepens its ties with the EU and the North Atlantic Treaty Organization. In the future, he says, this "pull of Europe" will provide Bosnian politicians and voters with much stronger motivation than "the stick of the high representative."

In the meantime, Mr. Ashdown insists democracy here must be "husbanded" -- and that his exceptional powers must be retained for a long time, as a "nuclear option" to prevent a resurgence of violence.

A former company commander in the Royal Marines, Mr. Ashdown draws on the precedents of Allied transformation of postwar Germany and Gen. Douglas MacArthur's rule over defeated Japan. "MacArthur had absolute powers in place -- did that stop Japan from becoming a democracy? Arguably it helped it happen," says Mr. Ashdown, who was born to a British colonel in colonial India and later knighted a baron. "There is an inherent paradox, but you have to learn to live with paradoxes in this world, and in the Balkans in particular."

In this logic, purging officials like Mr. Tosovic was necessary precisely because of the need to move Bosnia further along the road that would make the high representative's authority disappear altogether one day, Mr. Ashdown argues. In June, a NATO summit in Istanbul rejected Bosnia's application for membership in the Partnership for Peace program, the first step toward joining the Atlantic alliance.

NATO blamed this setback on the failure to apprehend Radovan Karadzic and other ethnic Serbs indicted for war crimes by the international tribunal in The Hague. They are believed to be hiding in the predominantly Serbian half of Bosnia, known as Republika Srpska. Almost all the officials removed by Mr. Ashdown in June, including Mr. Tosovic, belonged to Republika Srpska's ruling party, the SDS.

Mr. Karadzic founded the party. Not a single war-crimes indictee was arrested by Republika Srpska authorities, though the brother of one was killed in a police raid in April. "I'm not prepared to let a tiny group of people who believe that protecting war criminals is more important than giving the country a future to hold on to their positions with impunity," Mr. Ashdown says.

But human-rights activists complain Mr. Ashdown's decree provided no explanation for why particular SDS officials were targeted while the party itself, and other senior SDS members, such as Republika Srpska President Dragan Cavic, were spared. "There is a lack of transparency," says Mr. Abazovic of the Human Rights Center in Sarajevo. "The public is not informed enough about the reasons. It's not a good example of how you should elaborate important decisions."

Some of those on the latest black list were known for past links with Mr. Karadzic, and their ouster didn't raise many eyebrows. But others, such as Mr. Tosovic, the former mayor of Novo Sarajevo, are less of a clear-cut

case. Like all the others, he was accused by Mr. Ashdown of, "in whole or in part," failing to "purge the political landscape" of conditions that help indicted war criminals escape arrest. Eliminated from public life with a vague formula that could be applied to thousands of other Bosnian Serbs, he is left agonizing over a simple question: "Why me?"

Mr. Ashdown brushes off Mr. Tosovic's grievances as "crocodile tears." He says that the decision to remove the mayor was made after a "semi-judicial process that has to remain highly confidential because of the highly confidential sources involved." Mr. Ashdown declined to provide more information on individual cases -- but added that he's confident of having targeted the right people because "not a single riot" erupted in Bosnia after these firings.

While there was indeed no rioting on Novo Sarajevo's streets, finding fans of Mr. Tosovic isn't difficult, either. "Before Tosovic became mayor, we had no water, no electricity here -- he built everything here for us. He was really successful," says Milenka Golijanin, a Novo Sarajevo greengrocer who voted for Mr. Tosovic back in 2000. "What's the value of our vote if Ashdown can reverse our choice whenever he likes?"

A stocky 48-year-old with graying slicked-back hair, Mr. Tosovic insists he has never met Mr. Karadzic and backs arresting the indictees. "Everyone should pay for their own crimes," he says. "But I shouldn't be paying for someone else's." Mr. Tosovic adds, half-jokingly, that, in order to get off Mr. Ashdown's black list, he's now organizing a posse of friends to hunt for Mr. Karadzic himself.

Like many among the new generation of the SDS leadership, Mr. Tosovic wasn't prominent in public life in the wartime years and hasn't been linked with any atrocities. He even says he'd like to ban from office any politician who was active in the early 1990s and therefore contributed to fanning the conflict. A construction company manager, Mr. Tosovic became the local leader of the SDS in 1998 and first ran for office in April 2000, winning the Novo Sarajevo mayoralty in an internationally supervised election.

Since then, this once rural area on the former frontline between Republika Srpska and the Muslim-Croat Federation saw explosive growth, with pink-colored housing blocks popping up around a gleaming new shopping mall. The population now stands at 20,000, including more than 480 Muslim and Croat families who have returned after the war, reclaiming their former homes. Just before his removal, Mr. Tosovic was negotiating with his counterparts in the Muslim-Croat Federation the extension into Novo Sarajevo of the capital's trolley-bus lines -- a link that would symbolize the healing of wartime divisions.

Once he heard the radio bulletin announcing his dismissal, Mr. Tosovic says he called a liaison officer on Mr. Ashdown's staff, seeking an explanation and an audience. He says there was a terse reply: The high representative doesn't have to explain his decisions. A petition from Novo Sarajevo's municipal assembly and from some citizens was also left without answer. "My wife and children are still hoping that this is all a mistake, that I will be reinstated," Mr. Tosovic says, sipping an espresso in the mall as supporters come by to express sympathy. "But I have no illusions."

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