

CATALYZING DEMOCRATIC CHANGE IN BOSNIA

The West Must Enforce Dayton to Make It History

Dictatorship in Belarus, along with democracy being undercut in Ukraine, Georgia, or even the questionable actions of EU member states Romania and Hungary, have all received well-deserved attention recently. Rarely is the deterioration in Bosnia and Herzegovina viewed through a democracy lens

By Kurt Bassuener

This is not only unfortunate, but actually dangerous. For without understanding why the country is in such sorry and worsening shape, the EU and US cannot recalibrate their policies accordingly. A Europe whole, free and at peace has long been a bipartisan policy goal in Washington. Until we ensure that Bosnia shares all those attributes, it cannot be met.

Bosnia and Herzegovina's development as a functioning state has taken a nose-dive in the past six years. The West - primarily the US and EU - assumed that the progress made in the first decade after the 1992-1995 war was irreversible. It therefore ratcheted-down its assertiveness as a promoter of reform, believing that the draw of EU membership would be sufficient to impel progressive policies by the country's leaders. Despite years of deterioration disproving this theory, the basic thesis that the EU's gravitational pull obviates the need for external failsafes remains gospel in Brussels and many member state capitals. The EU's belief in its transformative power has become a dogma impervious to facts.

Political-Business-Criminal Nexus

Central to the self-delusion of Western policymakers is viewing Bosnia's political leadership as a product of democracy. While Dayton Bosnia does indeed have a democratic facade with numerous layers of government (three or four, even five if one lives in Sarajevo) and frequent elections, the ghost in the machine is oligarchical. Dayton, the only peace treaty to include a constitution, was designed to provide the belligerent signatories an incentive to share - and maintain - power. Popular legitimacy and democratic accountability hardly rated in their agendas. Avoidance of accountability to citizens and protection of the spoils of war - ethnoterritorial fiefdoms - was the common denominator of Dayton's architects,

whatever their differences. While mid-wifed by the US, the structural incentives in the Dayton Annex IV constitution are wholly domestic products. These have allowed the political elites that emerged from the war to keep what they stole, keep stealing, and remain unaccountable - both legally and politically.



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Dayton cemented into power a ruling class, a political-business-criminal nexus maintained by a tightly woven and mutually reinforcing incentive system that insulates it from popular will. The two essential tools to preserving this power are the ability to wield patronage and leverage fear. The balance of their utility has shifted since 2006. The money to buy social peace and votes is now scarcer than it was - both due to unsustainable domestic policies and the impact of the global economic crisis. But the weakened posture of Dayton's Western guarantors has greatly magnified the leverage of fear. Each self-defined group in Bosnia now has concerns that its worst fears might be realized - state dissolution for Bosniaks, domination by Bosniaks for Serbs, and domination and political irrelevance for Croats, the smallest "constituent people." It should be remembered that willful generation of fear through politically aligned media was essential to precipitate the war. The salience of fear also leads to a strange phenomenon: Bosnian citizens are fully cognizant of the fact that they are being

manipulated - robbed, cheated, stifled, divided, scared. But in Bosnia's traumatized society, Maslow's pyramid, with its self-preservation foundation, trumps the widespread recognition that politicians with vested interests aim to scare and manipulate. Politicians and citizens alike behave rationally within the systemic incentives.

Bosnians correctly sense that the international community no longer has the will to maintain the guardrails established to implement and enforce the Dayton peace, allowing these fears free rein. The competing unfulfilled agendas from the war are now once again being pursued without restraint. There are no more rules. Without external buttressing, Dayton BiH defaults toward partition, which could not be peaceful. Dangerously, the viewpoint that Bosnia and Herzegovina is a lost cause and that dissolution can be managed is gaining ground among Western policymakers. And even those who resist this trend seem to accept that only incremental steps are possible; that the political variables are fixed and immutable, and can only be rearranged into better or worse - but never good enough - configurations.

Evolutionary Dead-End

In this view, Bosnia is doomed to dysfunctional government for the foreseeable future. Unlike Milosevic's Serbia, Ben Ali's Tunisia or Mubarak's Egypt, there is no singular target against which a broad constituency can be mobilized for a system that allows for dignity and accountability. The hydra of Bosnia's oligarchy can redirect social discontent and blame shift with the greatest efficiency. In no country in Europe are the cards more stacked against popular mobilization against elites. Bosnia is easily the best country in Europe in which to be a politician - unless you are Alexander Lukashenko. But it's an awful environment in which to be a citizen. There is no

mechanism to convert popular will into political action - which is what democracy is all about. The current trajectory leads to a certain crash - it is merely a question of when. Time is not on the side of Dayton Bosnia. It is an evolutionary dead-end. While parliamentary mechanisms are available to amend or replace Dayton, there is understandably no enthusiasm on the part of the system's narrow stratum of main beneficiaries to change it. If the "made men" of this system (and they are overwhelmingly men) did agree to any changes to the system, it is almost certain that it would be to the detriment of the citizens, as their common interests radically diverge from those of Bosnia's citizens. The "European perspective," however positive EU membership would be for Bosnia's people, holds no charms that can compete with the current perquisites of power. Hence there has been very little progress on meeting EU requirements. The EU cannot possibly offer them a better deal than the one they have. Now the good news. A broad popular constituency for a functioning, accountable democratic state is out there. But this broad group is atomized, not self-identified, and despairs that politics can provide an avenue for social improvement. The lack of social trust also ensures the durability of the system. A vital part of the life support system of Bosnia's ruling class is to convince the public that they already know what fellow citizens, especially from the other "constituent peoples," actually think - so they never feel compelled to ask for themselves. When they do, as I have witnessed, they are often quite pleasantly surprised at what they hear. Much more progress is possible than is commonly perceived by Bosnians and "internationals" alike. But Bosnia's progressive citizens and civil society need the country's political freefall to be arrested so they can build a constituency for a new social contract. They will need external material support - but they have to devise and sell their alternative visions to their fellow citizens.

Policy Reversal

Dayton's dysfunction is hardly news; constitutional reform has been a widely recognized need for almost a decade. Without ensuring that the governed can hold their leaders to account, state functionality is not possible. But perhaps paradoxically, the West must defend Dayton

in order to render it obsolete. Luckily, a relatively small shift - to a policy which logically should have been a constant - could deliver a game change. All Bosnia's citizens need to be made to believe once again that until Dayton is consensually replaced, it will be enforced and state institutions defended. This means maintaining - and actually reanimating - the Office of the High Representative and the UN Security Council-mandated military deterrent



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force, EUFOR. While some costs would accompany this shift, they would be relatively minor. And while it would constitute a policy reversal, particularly for the EU, it is highly unlikely that Western publics would even notice - there is unlikely to be a political downside. But the implicit admission of failure would hit the bureaucracies that have devised the current policy hardest, hence their vehement resistance.

This is not a solution in itself - one must be devised and promoted by Bosnians to have popular legitimacy. But by re-establishing a sense that communities' worst fears cannot be realized - one of the other common denominators of Dayton, fear would be neutralized as a tool of social control. Then - and only then - can popular discontent with the abuse of power build to politically potent levels. Knitting together a consensus among Bosnia's citizens on an accountable democratic system could finally build up steam. That is the international community's only viable exit strategy.

The two essential capitals are Washington and Berlin. Political leaders rarely enter the equation on Bosnia anymore; when they do, it is episodic. While senior officials in the Obama administration, including Vice President Biden and Secretary of State Clinton, have expressed their concerns about the deterioration in Bosnia, there has been no

accompanying policy recalibration, much less high-level attempts to get major European powers that remain wedded to the current failing policy by default. Angela Merkel last year toughened Germany's posture toward Serbia in a constructive way. As the EU's economic and political engine, Germany has a major interest in preventing an expensive and humiliating policy failure - and allowing for the construction of a Bosnia that can finally pull its weight. Germany is the center of gravity of the EU; if Merkel decides on a course correction, the other members (some enthusiastically, others grudgingly) will follow.

"Made in America"

Only Merkel's peer, President Obama, is in a position to encourage her to shift toward a policy that would stop Bosnia's dangerous deterioration and make durable governance possible. It shouldn't be such a hard sell. It's getting onto the presidential agenda that's the hard part. Unfortunately, nothing less than that will suffice if the US wishes to halt Bosnia's accelerating slide toward violent collapse. While the EU would end up picking up most of the bill for that policy failure, there should be no illusion that the US would take a heavy political hit for the failure of its "made in America" creation. The attendant recriminations would linger, as the EU would have to remain in loco parentis of the remains of a failed Bosnia for decades. Regarding Kosovo, one often hears frustrated continental European officials grumble that "the Americans got us into this." American-led NATO intervention in 1995, motivated in part to preserve NATO, finally ended Bosnia's war. The collapse of Bosnia would create even greater transatlantic friction among the world's leading democracies, in a much less forgiving international environment. Averting disaster and creating conditions conducive to the building of a durable and truly independent Bosnia is simple and cheap in absolute, never mind relative, terms. But only the most powerful man in the world can make it happen.

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