

# LEGAL SYSTEMS OF THE WORLD

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## BOLIVIA

### COUNTRY INFORMATION

Bolivia is a landlocked country in central South America, lying entirely within the Tropics. It borders Peru to the northwest, Chile to the southwest, Argentina and Paraguay to the south, and Brazil to the north and east. Bolivia continues to have border disputes with Chile and Peru, having lost its outlet to the sea due to a conflict with Chile at the end of the nineteenth century. Two cities are actually recognized as the capital of Bolivia. Sucre is the home of the Supreme Court and therefore serves as the constitutional capital. La Paz is the de facto capital, with the executive and legislative branches each operating out of that location. The population, estimated at 8.1 million in 1999, is about 90 percent Catholic, although in the indigenous communities, characteristics of the pre-Columbian pantheistic religion have survived and, in some cases, become integrated into the Catholic faith. About 40 percent of the population is fourteen years old or younger. Life expectancy is about sixty-five years, and illiteracy is about 17 percent. The gross national product per capita is about U.S.\$800, making Bolivia one of the poorest countries in the Western Hemisphere.

The country has 424,165 square miles (1,098,581 square kilometers), about three-fifths of which consists of vast low plains, mainly in the east and north. Here are found low alluvial plains, giant swamps and flood lands, and forest regions, which constitute the western portions of the Amazon Basin. The western section of Bolivia is one of the highest inhabited areas of the world, and it represents the heart of Bolivia. The Andes Mountains cross the western part of Bolivia in two parallel ranges, east and west. Between the ranges lies the high plateau known as the Altiplano. The Altiplano is a nearly flat depression about 500 miles (800 kilometers) long and 80 miles (130 kilometers) wide. The elevation there runs between 12,000 and 12,500 feet (3,600 to 3,800 meters). The Altiplano is windswept, cold, bleak, hostile, and barren. On the western border with Peru lies Lake Titicaca, the highest large navigable lake in the world. Extremely high mountains, some over 21,000 feet (6,400 meters), are found in the northeast. To the extreme south is the Chaco. The Chaco is a plain, lowland area, approximating a swamp in the three-month rainy season or a hot semidesert in the dry season of the rest of the year.

Because of differences in altitude across Bolivia, the country has temperatures equivalent to everything from arctic cold to Amazon jungle hot. Temperature deviation is determined by altitude, since the entire country is within the Tropics. Rainfall is nearly as varied as temperature. To the east of the eastern mountain range, rainfall is nearly constant all year. In the elevated plains, limited amounts of rain fall. In La Paz, there are only about 23

inches (584 millimeters) of rain a year, falling only during the summer months. At times, the Altiplano becomes absolutely barren of vegetation. To the west of La Paz, near Lake Titicaca, brief but immensely strong thunderstorms cut across the northern plain during summer months.

Bolivian ethnicity is often broken down into three separate groups. Those in the largest group, the indigenous population, are descendants of the Aymara or Inca. Other groups include people descending from Spanish ancestry and those from a mixed indigenous and European ancestry (the mestizos, or, as they are known particularly in Bolivia, the *cholos*). However, definition of race in Bolivia has come about in social rather than strictly genetic terms. Peasants are usually referred to as indigenous people. The urban lower and lower-middle classes and the rural freehold farmers wear European clothing and are often called "the mestizos." The upper class of elites are assumed to be of European ancestry. Inter-marriage has caused new subgroups to emerge over time. Today, ethnicity is increasingly a question of self-identification and class, rather than genetics.

### HISTORY

Population in the Andean region dates back some 20,000 years. Bolivia today traces its roots to ancient civilizations. The Altiplano was densely populated for several hundred years prior to the arrival of the Spanish in the 1500s. The Tiahuanaco Empire, with a complex customary legal system, began in the seventh century and reached its high mark by the eleventh century. At that time, although centered in the Altiplano, the empire extended over the Peruvian highlands and coast. Later, the empire was broken into smaller, regional states. Civilization was characterized by advanced technologies in agriculture and irrigation systems. After the collapse of Tiahuanaco, various groups of Aymara-speaking Indians emerged, comprising twelve separate nations. These groups then became competitors to the Quechua-speaking nation, the Inca, centered in Cuzco (today, in Peru). After years of fighting, the Quechuan groups eventually gained the upper hand. However, the Aymara retained their language, culture, and local customary legal system within the broader Incan Empire. Later, when the Spanish Conquest arrived both the Quechua and Aymara retained their cultural and linguistic heritage, despite brutal oppression. Today, Bolivia officially recognizes Spanish, Quechua, and Aymara as national languages. Guarani is also spoken in Bolivia among lowland indigenous groups.

During the era of the Spanish Conquest, Spain quickly began to mine the abundant mineral wealth of the region, using forced indigenous labor. The largest silver mine in the western world, located in the high, arid town of Potosí, was founded in 1545. Some authors claim that more than a million indigenous slaves died in the Potosí



mine alone. Starting in the sixteenth century, as a result of mining operations, Upper Peru (as Bolivia was then known) was one of the wealthiest and most densely populated areas of Spain's empire in the Americas. By the middle of the seventeenth century, Potosí was the largest city in the Americas, with a population of over 150,000. At the close of the eighteenth century, the best mines had been exhausted, and the region began a decline.

In 1809, revolts in Chuquisaca and La Paz ignited wars of independence across South America. With historical irony, Upper Peru was the last major region in South America to gain independence from Spain, which was accomplished with Antonio José de Sucre's defeat of the Spanish in Peru in 1824. At the time, Simón Bolívar was pressing the countries of South America to remain united as Greater Colombia. Nevertheless, he allowed Upper Peru to declare itself an independent republic on August 6, 1825. The fact that the new republic would be named after him was no doubt a helpful factor in his decision. Bolívar himself drafted Bolivia's first constitution, approved in 1826.

Antonio José de Sucre became Bolivia's first president. Declining mining income and war expenses pushed the new nation into an economic depression. By 1846, Bo-

livia had more than 10,000 abandoned mines. To compensate, it began to heavily tax its indigenous population, estimated at 1.1 million as of 1825. Taxation of the indigenous was the largest single source of income for the government until late in the 1800s, in contrast to the situation in other South American countries, which relied almost exclusively on import and export taxes to produce public revenue. Bolivia, once the premier South American state, became its most backward nation.

Beginning in the 1840s, Chile began to expand mining operations along the Pacific coast, through treaties and concessions with the Bolivian government. The English provided Chile with needed capital for the ventures. With discovery of nitrate deposits in the 1860s, investment became more active. To stave off the Chileans, the Bolivians entered into a treaty with Peru in 1873. When Bolivia increased the tax on nitrate companies, Chile invaded. The War of the Pacific (1879–1884) had begun. In the end, Bolivia lost its access to the sea to Chile. At about this time, world silver prices dropped. The dual effects of the price drop and the military defeat led to a shift in power to the new tin-mining entrepreneurs. It is worth noting that the loss of access to the sea remains a sore point between Chile and Bolivia. As of 2000, Bolivia

remained in discussions with Chile about access rights, with the threat of pursuing international judicial action if Chile refused to compromise.

In June 1932, a border conflict with Paraguay resulted in the Chaco War, a long, costly disaster for Bolivia. After three years of fighting and with 100,000 Bolivians dead, deserted, or captured, Bolivia lost a great deal more territory than Paraguay had ever demanded. The defeat was made more tragic for Bolivia because, at the start of the conflict, it was the better-equipped and better-trained force.

In April 1952, Bolivia experienced one of Latin America's most important revolutions, also having a regional impact on postrevolutionary constitutional frameworks. Mine workers rose against the tin-mining industry. In October 1952, the state nationalized the three biggest tin-mining operations. In August 1953, a major land reform program began (predating similar reforms in nearly all of Latin America, with the exception of Mexico). At the same time, universal suffrage was set in motion, and literary requirements for voting were abolished. Indigenous people were freed from labor obligations and given land, the right to vote, and arms, making the indigenous peasantry a major force from then on in Bolivian politics. From 1964 to 1985, there were a number of governments, some elected and some military. In 1967, the Argentine revolutionary Ernesto (Che) Guevara arrived in Bolivia, with support from Cuban president Fidel Castro, in an attempt to overthrow the Bolivian state and spread revolution across South America. Guevara failed largely because he was unable to attract or mobilize any significant peasant following. In 1971, Col. Hugo Banzer Suarez assumed power and ushered in the most repressive regime of this period, suppressing the labor movement, suspending all civil rights, prohibiting peasant organization, and sending in troops to occupy the mines.

Politically, when one thinks of Bolivia, the stereotype that comes to mind is that of a country plagued by military dictatorship and political and economic instability. At one point, Bolivia had gone through 78 different governments over a period of just 169 years of independence. At another point, inflation topped 23,000 percent. All that has changed. Military dictatorship came to a close in August 1982 with the election of Hernan Siles Zuazo as president and Jaime Paz Zamora as vice-president. Prior to 1982, the military had been supported and advised by the Argentine military and foreign fascists such as former Gestapo leader Klaus Barbie and terrorist Pier Luigi Pagliari. With the change in 1982, demilitarization began, but the economy defied control. Between 1980 and 1984, money in circulation increased 1,000 percent. In 1985, the newly elected president, Victor Paz Estenssoro, implemented an austere economic package. He devalued the national currency, established a free-floating

exchange rate, eliminated price and wage controls, cut public spending and public employee wages, and raised prices for public services. By 1989, there was broad political consensus for a continuation of the economic package. Once heavily protectionist, Bolivia now has a maximum tariff of 10 percent, and it allows free entry and exit of capital. Further, since 1985, Bolivia has enjoyed a multiparty political system. This system tends to encourage the creation of ever more new parties, with older parties splintering, resulting in complex electoral alliances.

From 1993 to 1997, President Gonzalo Sanchez de Lozada initiated reforms designed to privatize industry, reform education, promote participation, and decentralize government. Though controversial in their enactment, the reforms are revolutionary. The privatization program, actually called "capitalization," sells off a 50 percent interest in state enterprises and invests the proceeds into retirement funds for all adult Bolivians. All new private investment is plowed back into the company to expand or upgrade service. Education reforms are geared to providing basic education and adult education to citizens in their native language. These measures seek to correct the previous practice of teaching only in Spanish even though the majority of Bolivians are indigenous people, speaking languages other than Spanish. The reformers also hope to address centuries of discrimination against indigenous groups and women, providing them with more-equal opportunities for advancement through education.

The new Popular Participation program promotes a decentralization of fiscal authority and responsibility from central government to the municipal level. Previously, decision making was highly centralized at the nation's capital. Budgets were allocated primarily to the big three cities: La Paz, Cochabamba, and Santa Cruz. Today, this is no longer true: All 314 municipalities receive coparticipation funds under the Popular Participation Law. Finally, a new decentralization law seeks to cement control of government at the local level. It provides for strong municipalities but stops short of federalism by denying much power to the state level. Taken as a whole, these measures are the most exciting legislative changes in Bolivia since the agrarian reform of 1953. They are a model for other countries to evaluate as they confront similar challenges.

In 1997, former military dictator Hugo Banzer Suarez was elected president. Although many predicted a return to strong-arm rule, Bolivia has stayed the course of democratization, albeit with political, economic, and social turbulence.

#### LEGAL CONCEPTS

As in most countries, Bolivia's supreme law is found in its constitution. Under the constitution, Bolivia is considered a "unitary" republic, which means that governmental authority rests entirely in the capital, rather than in depart-

mental or state governments as might be the case in a "federalist" system such as Brazil or the United States. Under Article 85 of the constitution, the resident heads the executive branch and presides over the ministers of state. He is elected for a nonrenewable four-year term of office. Beyond the executive branch, there are also legislative and judicial branches of government. An attorney general is separate from each of the other branches of government and operates with independence.

Like the United States, Bolivia has a two-chamber Congress. Congress is responsible for all legislative acts. An upper chamber, the 27-member Senate, is elected through a direct, universal voting system. There are three senators serving four-year terms concurrently from each of Bolivia's nine departments. The lower house, the 130-member Chamber of Deputies, includes members elected for four-year terms by direct voting as well as a system providing for proportional representation of minorities. Legislation requires an absolute majority in both houses for passage. As a historical note, a July 1980 military coup suspended the Congress, but it reconvened in October 1982, and fresh elections were held three years later.

If a presidential candidate does not receive a majority of votes, the national Congress serves to elect a national president. In some cases, the Congress has selected one of the losing candidates to become the next president. For example, in 1989, Gonzalo Sanchez de Lozada finished first in the elections with a plurality. However, the second- and third-place parties linked forces in Congress, and Jaime Paz Zamora, the third-place winner, was elected president. If the president dies, the vice-president takes power. If the vice-president is also unable to assume power, the president of the Senate becomes the head of state on an interim basis.

Although Bolivia is a unitary republic, for administrative purposes, Article 108 of the constitution divides the country into departments (under the authority of prefects, representing national executive authority), provinces (under subprefects) and provincial sections, and cantons (under magistrates, or, in Spanish, *corregidores*).

In terms of legislation, Bolivia, like most civil law countries, has specific codes for civil law, civil procedure, commercial law, family law, mining, tax, criminal law, and criminal procedure. Other significant pieces of legislation include the Judicial Organization Law, Municipal Law, Political Organization Law, Customs Law, Social Security Code, and Aeronautic Code.

One of the most important areas of legislation concerns labor issues. The constitution provides for a right to employment and to a fair wage. Bolivia also has a system of social security. The maximum workweek is forty-eight hours. Except for apprenticeships, work by minors under the age of fourteen is prohibited. Since 1997, social security participation has been compulsory. Women enjoy

particular rights under the law, including the right not to be fired as a result of pregnancy or within one year after giving birth. The age of majority is twenty-one.

In the environmental area, the legal framework recognizes the need for conservation and protection of the environment. The Bolivian National Secretariat for the Environment carries out a function similar to that of the Environmental Protection Agency in the United States. Bolivia is one of the first Latin American countries to require environmental impact statements in public works and in any activity that may damage the environment. Bolivia refuses the entry of radioactive materials.

In the intellectual property rights area, Bolivia affords legal protection to copyrights, patents, and trademarks. As in most of Latin America, the real question is one of enforcement. Bolivia is a signatory to a number of intellectual property rights conventions, including the Montevideo Convention of 1889, the Buenos Aires Convention of 1910, the Caracas Agreement of 1911, the Washington Convention of 1946, the Rome Convention of 1961, and the Stockholm Convention of 1979. National legislation was updated in the 1990s. Bolivia also belongs to the World Trade Organization and the World Intellectual Property Organization.

In 1992, Bolivia passed monumental reforms in the area of criminal procedure. Like the Guatemalan reform of 1994, the Bolivian change radically reformed criminal justice, moving from a mainly written civil law, inquisitorial system to a mainly oral, adversarial system. As in Guatemala, the hope is that this will provide for increased transparency of process, greater public scrutiny and victim participation, and lowered rates of impunity and corruption. The new Procedure Code, which entered into effect on May 31, 2001, allows police to use undercover agents and to participate in sting operations.

#### CURRENT COURT SYSTEM STRUCTURE

The Supreme Court is the highest body within the judicial branch. The twelve-member body is appointed by the Chamber of Deputies of the national Congress; its members serve ten-year terms. The Supreme Court is divided into four chambers, with three justices assigned to each. Two of those chambers review civil cases. Another chamber oversees criminal justice. The last chamber reviews administrative, social, and mining cases. The president of the court chairs meetings between chambers and directs the court in appeals cases.

Beyond its adjudication functions, which include opining on the constitutionality of laws, the Supreme Court has the administrative functions of preparing the budget and supervising procurement for the judicial branch. Under the Judicial Organization Law of 1993, the Supreme Court hears select cases on appeal from lower courts. It also has original jurisdiction in cases such

as accusations against high-ranking government officials and government contract disputes. Supreme Court justices enjoy tenure in office. They cannot be removed or suspended without cause and then only with a two-thirds majority vote of the Chamber of Deputies. In 2000, the Bolivian Supreme Court upheld the drug conviction of Oscar Eid Franco, a deputy party leader of the Movement of the Revolutionary Left (MIR), which linked former Bolivian President Jaime Paz Zamora to drug trafficking.

Superior District Courts hear appeals from trial judges. The trial judges have original jurisdiction over civil, family, commercial, and labor matters, as well as matters involving minors, criminal cases, and misdemeanors. An independent Constitutional Court was created under the constitution and has national jurisdiction (Law 1836 of April 1, 1998). The Constitutional Court reviews habeas corpus actions, resolves conflicts between the branches of government, and has original jurisdiction over the constitutionality of legislation, presidential decrees, and international treaties and conventions.

Despite the presence of the formal legal structure, private systems of dispute resolution exist, through traditional indigenous legal mechanisms, in a number of countries in the Americas—Bolivia, Ecuador, Peru, Mexico, and Guatemala. Prior to the arrival of the Spanish in Bolivia, the main governmental unit was the *kollasuyo*, or community. The *kollasuyo* included complex market and trade arrangements among different towns located at differing altitudes, assuring diversity of production and therefore a self-insurance system. The basic social unit of the *kollasuyo* was the *ayllu* (neighborhood), which contained a number of smaller population units. Each community specialized in the production of certain produce (corn, potatoes, fish, coca, and so forth), in accordance with its ecological location. The area that is now Bolivia was part of the old Inca *kollasuyo*, with its center at Cuzco (now in Peru). The economic system relied on barter—there was no monetary system.

Spanish rule radically changed the legal structure. Mining became the dominant industry, and emphasis was placed on production at the fastest, cheapest rate possible. Working conditions were harsh. Forced labor, called the *mita*, was imposed, and stiff taxes were levied on the indigenous labor force. Evangelism also made inroads on traditional culture and religion. Despite the influence of Spanish rule and the experience of years of liberalism and westernization, indigenous culture and legal concepts remain relevant and important today. The Andean system of values, sometimes called the Andean Code, revolves around six basic values—*ama quilla* (no laziness), *ama llulla* (no lying), *ama shua* (no stealing), love for the land, reciprocity, and the presence of the sacred.

Traditional indigenous values are still very relevant to political discourse in Bolivia. A rediscovery of indigenous

heritage is under way, and we can expect customary dispute settlement practices to gain renewed importance, especially in the face of a dysfunctional formal legal system.

### SPECIALIZED JUDICIAL BODIES

In January 1998, President Hugo Banzer Suarez announced a \$1 billion, five-year plan to combat narcotics production, with Bolivia picking up about 15 percent of the cost and the rest split between the United States and Europe. Much of the money went to farmers to encourage them to produce “alternative” crops—this is, crops other than coca. At the time, Vice-President Jorge Quiroga noted that there was nothing more damaging to Bolivia’s international image than drug trafficking and nothing more corruptive to Bolivia’s public institutions.

That same year, 1998, Bolivia created the new Judicial Council to professionalize the nomination of candidates for the judiciary. The council also serves as a vehicle for disciplining judges. Some of its powers were subsequently taken away by the Constitutional Court, which ruled that judges could not be removed on suspicion of corrupt practices until convicted by a criminal court.

Bolivia has developed specialized Controlled Substances Courts for trying drug cases, complete with special antinarcotics police. These courts have had mixed results. Although Bolivia’s judicial organization otherwise appears similar to that of a European country, it nevertheless has to operate within a national context that includes high levels of corruption, in large part due to the expansive cocaine production. In March 1999, six judges were suspended on allegations of corruption: The judges specialized in narcotics cases and had been compromised by defendants. Five ended up resigning as a result of the probe. In April 2000, reputed drug kingpin Marco Marino Diodato (an Italian who was married to the niece of the president) was acquitted of drug charges in Santa Cruz, leading to a cooling of the relationship between La Paz and Washington in terms of the international war on drugs. Marino remained in detention, however, on other charges, including operating illegal casinos and cloning mobile phones (charges related to money laundering and drug trafficking). In 1999, Bolivia eliminated about 14,000 hectares of coca production, and it was expected to end coca production a few years later.

Law 1770 (March 10, 1997) provides for the arbitration of disputes. The law distinguishes between domestic and international arbitration proceedings. For national arbitration, the parties can select the arbiters, the place for arbitration, and even the language to be used. The process is supposed to take less than six months. Normally, the parties enter into an arbitration agreement to spell out the terms of settlement for the dispute. In the case of international arbitration, enforcement of a foreign arbitration award requires the use of a specific interna-

## Structure of Bolivian Courts

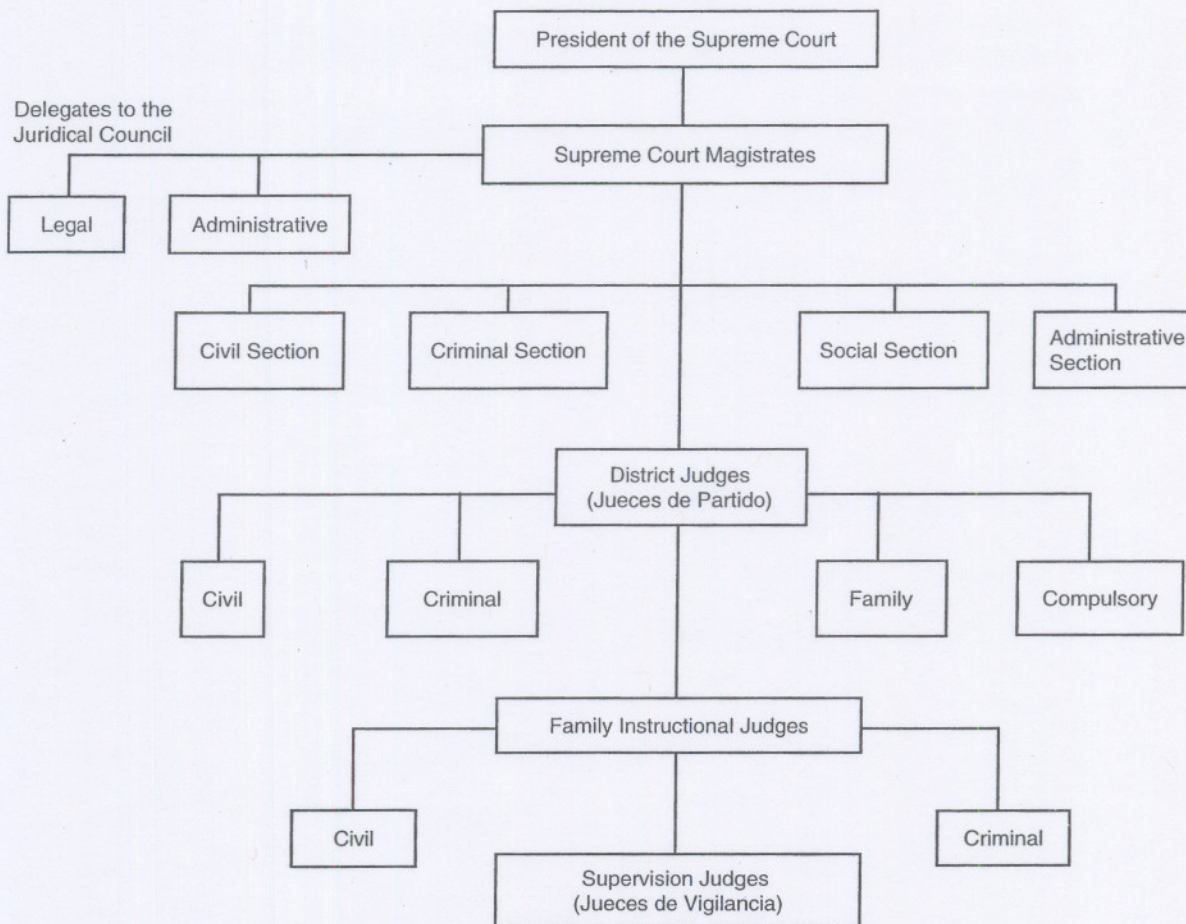


Chart adapted from U.S. Agency for International Development. 2000. "Plan Nacional de Implementación del Nuevo Código de Procedimiento Penal Avanza en Seis Areas Principales."

tional convention or agreement, or can be done according to the terms of the Civil Procedure Code. While awaiting a decision in arbitration, the parties are free to seek mediation or conciliation. Bolivia is a signatory to the Convention on Recognition and Enforcement of Foreign Arbitral Awards, the Convention on the Settlement of Investment Disputes between States and Nationals of Other States, the Inter-American Convention on International Commercial Arbitration, and the Extraterritorial Validity of Foreign Judgments and Arbitration Awards.

In 1997, Bolivia passed new legislation to advance a "people's defender," or human rights ombudsman, as a high commissioner of the Congress. The defender is actually an entire institution, as contemplated in the constitution, to make sure the public administration gives its citizens a fair shake. It also performs a watchdog function in terms of human rights.

### STAFFING

A student must study for five years in an accredited law school to become a lawyer. The law degree is awarded at the undergraduate level, as in most Latin American countries. Most business leaders and politicians are lawyers, so a law degree is certainly considered prestigious, especially in a country with a high illiteracy rate where any university degree sets one apart from the majority.

Officially, Bolivia has about 650 judges and 300 prosecutors, though over one-quarter of the prosecutor positions are vacant. An ambitious training plan is currently under way for police, prosecutors, judges, and other formal sector actors to gear up for the oral, adversarial procedures called for in the new Criminal Procedure Code. In part with support from the U.S. Agency for International Development, comprehensive training is being carried out in a concerted effort with public and private universities, as well as the various public sector institu-

tions. A separate police academy has been established and includes training on human rights.

Bar associations exist in each department of Bolivia, with the largest being in the Department of the Capital City of La Paz. That association has 3,800 members. There is also a national bar association. One of the typical services of these associations is to provide continuing legal education for members. Annual conferences and prestigious academic journals are also part of the bar associations in the Departments of La Paz and Santa Cruz de la Sierra. Continuing legal education, though not mandatory, is viewed by practitioners as a way to network, develop new practice areas, and keep on top of developments. In 2000, the Bar Association of La Paz inaugurated new teaching facilities, and in 2001, graduate degree programs for its members were initiated.

Steven E. Hendrix

See also Adversarial System; Civil Law; Constitutional Law; Criminal Law; Criminal Procedures; Customary Law; Human Rights Law; Indigenous and Folk Legal Systems; Napoleonic Code

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## BOSNIA AND HERZEGOVINA

### HISTORY

The Republic of Bosnia and Herzegovina declared its independence from the former Yugoslavia in October 1991. Following a four-year armed conflict between Bosnians, Croats, and Serbs, the country has been divided into two separate republics functioning together as a single sovereign nation. Bosnia and Herzegovina is now in the process of rebuilding from the shambles of war and ethnic cleansing.

Bosnia and Herzegovina (BiH), like the entire Balkan region, has had a bellicose past. The nation traces its history back more than two thousand years, to when the Illyrians settled the area. In 395 C.E., when the Roman Empire was divided, the present border between BiH and Serbia became the border between the eastern empire of Byzantium and the western empire, centered in Rome. In the fifteenth century, after Byzantium fell to the Ottoman Turks, BiH became part of the Ottoman Empire. Many of BiH's inhabitants, including Roman Catholic Croats and Eastern Orthodox Serbs, gave up Christianity and converted to the conqueror's religion, Islam.

As the Ottoman Empire declined in the nineteenth century, Russia backed the Hapsburg claim to the Balkans, allowing the Austro-Hungarian Empire to take control of BiH by force. Resentment of Hapsburg rule in BiH spawned resistance movements. In 1914, a Bosnian Serb assassinated Archduke Franz Ferdinand, heir to the Hapsburg throne, an act that sparked World War I. The defeat of the Central Powers in 1918 brought about the collapse of the Austro-Hungarian empire. BiH became a spoil of the war and was awarded to Serbia. In 1941, when Nazi Germany dominated the region, BiH was attached to a fascist Croatia. The alliance, whether willing or forced, of BiH with the Axis powers in World War II led to the slaughter of thousands of Serbs—an eerie portent of the ethnic cleansing of Bosnians by Serbs that would follow half a century later.

With the assistance of Soviet and British forces, by 1944 Yugoslavian nationals led by Josip Broz Tito pushed the Germans out of BiH. Under Soviet protection, Tito took control of BiH as well as Croatia, Serbia, Slovenia, Macedonia, and Montenegro, uniting them in one sovereign state of Yugoslavia. BiH held the status of a constituent republic. Although Yugoslavia was communist, Tito managed to hold the Soviets at arms' length, keeping Yugoslavia on friendly terms with the Soviet Union but achieving a measure of independence in domestic and foreign policy. Political conditions in Yugoslavia were never as severe as in the Soviet republics or the satellite countries of eastern Europe, and Tito was able to quash ethnic disturbances.

### Bosnian War

Following the death of Tito in 1980 and the fall of the Soviet Union in 1989, ethnic nationalism began to ferment in the republics of Yugoslavia. The first free elections in BiH, held in November 1990, spelled the political death of communism in the region. The Communists were opposed by a largely Muslim party advocating a multiethnic BiH, but nationalist Serbian and Croatian parties were also launched to represent their communities' exclusive interests. Within a year, the Croatian and Muslim parties united and, despite Serb objections, on