

## POLITICAL LIFE OF SERBIA BETWEEN PARTITOCRACY AND DEMOCRACY

The subject of this book are political institutions in Serbia, their introduction, designing and redesigning, the way of functioning and the context in which they act. Political parties are one of the main actors in the book, permeating almost all political institutions and influencing their functioning and relations among them. Parties inhale life to political institutions, but more often it seems as they suck blood out of them. Considering that all parties are more or less recognized for their leaders, this means that main political actors are those who lead them, but also – and not rarely – those who finance them. Per its coverage, the research approach of this book is a case study, and its method is comparative, i.e., this is an essay about Serbia through the prism of comparative politics, where it is comparable and where that comparativeness was possible and available. The study covers the period 2000–2008, with introductory and occasional reviews of the 1990s (1990–2000), where without a look back to that period it would be impossible to explain later events. One of the main issues for consolidation of democracy is if elected representatives are in the same time both holders and owners of the highest power in the society. The highest influence on politics and political life in Serbia, i.e. the highest portion of power, belongs to two groups of factors: internal – oligarchs and secret services, political parties, their leaders and financiers; and external – ambassadors of big powers (USA, Russia) and representatives of international organizations (European Commission, Council of Europe, OSCE, World Bank, IMF, etc). Among the internal factors, the most intriguing is the role of so-called „reserve domains“ (secret service and security apparatus). The external factors could be divided to evaluators (organizations which evaluate situation with human rights, freedom, corruption, competitiveness, etc.) and implementers (these are high representatives of large world organizations, sitting in governments' offices or having their representative offices in Belgrade).

## 1. POLITICAL CHANGES IN SERBIA IN THE YEAR 2000

**The first** part of the book deals with political changes in Serbia in the year 2000. At the beginning, we give a short review of the 1990s, i.e. the period from 1990 to 2000, attempting, among else, to define the character of the „old regime“, followed by the causes and modes of the third and/or fourth wave of democratization, for the sake of better and easier understanding of the context and character of the changes in Serbia. The unavoidable political hallmark of Serbia is its central position in the Balkans, the crossroads of civilizations and their influences, as well as hyper production of history and therefore the obsession with the past instead with the future. In the political history of Serbia, there are strong authoritarian and totalitarian layers which influences reach even the present days. The last deep trace was left by communism. Although a multiparty system has been established in Serbia in the same time as in other East-European countries, political changes and democratization of Serbia significantly differ from other post-communist societies. It is necessary to make difference between the period from 1990 to 2000, when Slobodan Milošević was on power, and the afterwards period, i.e. the period after the political changes in Serbia and the replacement of Milošević. Political life in Serbia during the 1990s had characteristics of a closed state (by the UN sanctions), closed society (by prohibitions from the side of the regime) and closed system (by blockades), with political competition neither allowed nor possible. In Serbia in the 1990s, the SPS was a „dominant party“. All the time (1990–2000) it was the ruling party. In that sense, it represents the transition from classic single party system (League of Communists of Serbia, SKS) towards classic multiparty system. The support to this party had a high rate of attrition from one election to another, forcing it to make ever bigger concessions to coalition parties, with the help of which it procured parliamentary majority (be it the New Democracy, Serbian Radical Party or the Yugoslav Left).

In Serbia, the change of the regime occurred through victory at „surprising elections“ and defense of that victory by peaceful protests on the streets in front of the Federal Assembly building.

What happened on October 5<sup>th</sup>, 2000 meant, among else, the defense of electoral victory on presidential and parliamentary elections (for the federal parliament) of September 24<sup>th</sup>. That was the second time (similar as after local elections and in 1996/97) that Milošević first had to be defeated on elections, and than on streets, by defense of electoral victory. The transition in Serbia is accompanied by an „unsurpassed legacy of the past“ (Mladen Lazić). In Serbia, the changes were carried out without a discontinuity with the former regime and were characterized by a liberal deficit that would reflect to dynamics and success of reforms. The „liberal revolution“ without constitutionalization has led to speaking about a „betrayed revolution“! Unfulfilled promises, betrayed hopes and expectations („the bigger the expectations, the bigger would be the disappointments“), yielded disappointment of citizens and some slowdowns. The new regime made two big mistakes which significantly influenced the flow and dynamics of democratic consolidation. The first big mistake of the new government with long-term consequences was the transitory („technical“, „three-headed“) republic government. Missing the chance for making more radical distinction from structures of the old regime enabled consolidation of a mixture of security and criminal structures instead consolidation of democracy. Although the parliamentary elections were not held on the republic level, the regime lost its legitimacy with the defeat of Milošević. The forces of the old regime used that period for packing the archives, destroying evidences and strengthening their positions. One of the epilogues of such mistake was armed rebellion of the Special Operations Unit (JSO) of the State Security Department of the MoI of Serbia (November, 2001), which was successful, as it forced the change of the then management of the State Security and appointing their people instead. That was the introduction into the situation preceding the assassination of the Prime Minister of the Republic of Serbia Zoran Đinđić in 2003, which slowed down the process of democratic consolidation in Serbia.

Another big mistake of the new government laid in the fact that political changes have not been constitutionalized. Instead of a more radical break up with the old regime, a strategy of

constitutional-institutional continuity was carried out. There was no agreement among the leading political actors when setting of fundamental principles of the new order came to the agenda. The misunderstanding got stuck in procedural labyrinth between legality and legitimacy.

## 2. POLITICAL INSTITUTIONS

**The second** part of the book deals with political institutions, constitutional-institutional design and acting of institutions. First we consider the issue of shaping the basic consensus and problematize the issue of democratization of Serbia between conflict and consensus, as an assumption in determination for certain political institutions.

In Serbia, since the 1990s, **the Constitution** was, among else, the topic of political competition (first in 1990 „elections before the constitution, or the constitution before elections“, and then in 2006: „elections for the constitution or the constitution for elections“). After the introduction of multiparty system in Serbia in 1989–90, the opposition insisted on new constitution, to be followed by elections. Milošević wanted to preserve the power and continuity and was in favour of the reverse order, which happened. After the political changes of 2000, the Assembly of Serbia did not use constitutional chance („open window of constitutional opportunities“), considering the then existence of two-third majority (of the DOS), 176 out of 250 MPs. After the referendum in Montenegro (May 21<sup>st</sup>, 2006), on June 6<sup>th</sup>, 2006 the Assembly of Serbia adopted the decision on reconstitution of the state independence of Serbia. Almost suddenly and pretty unexpectedly, a previously hardly imaginable compromise about a new constitution was reached among the parliamentary parties. On September 30<sup>th</sup>, 2006 the National Assembly unanimously (with all 242 votes of the deputies present cast in favour) adopted the Proposal of a new Constitution of Serbia, and passed the Decision Calling a Republic Referendum to Confirm the new Constitution, to be held on October 28<sup>th</sup> and 29<sup>th</sup>, 2006. The new Constitution was confirmed by majority of 53.04%

of total number of voters registered in voters' list, and the National Assembly ceremonially proclaimed it on November 8<sup>th</sup>, 2006. The new Constitution of Serbia could be characterized as a republican, soft and codified constitution. It means that Serbia is a republic, that it is relatively easy (not hard) to amend the constitution, and that the constitution is codified and consists of 206 articles. It is the result of concessions and compromises about certain articles.

The chapter continues with consideration of certain political institutions. First it points to **political consequences of electoral system**: mutual influence of electoral and party systems – „Duverger's law“ and Duverger's hypothesis; strategic effects of electoral systems, relation of electoral system and political stability, as well as different preferences of theoreticians. The insight in some initiatives for changes of political system in Serbia enables division of three groups of reasons. The first one is better representation of minorities, the second is the question of MPs terms of office, opened after 2000 (deprivation of terms of office, transfers of MPs) and the third, increase of chances of smaller parties to enter the parliament. In that sense, there are records of requests for introduction of majority system (on local and republic levels), abolishment of threshold for minorities and decrease of threshold for other parties.

The discussion follows, on **semi-presidential system** in Serbia and its different functioning in different political contexts. The semi-presidential system in Serbia had several different phases: 1. Presidentialist phase – Slobodan Milošević; 2. Quasi-parliamentary phase – Milan Milutinović; 3. phase of cohabitation – Boris Tadić; 4. Tadić – Koštunica, „cohabitation in coalition“, and 5. new presidential phase – the second term of office of Boris Tadić. Semi-presidential system can function as alternation between presidential and parliamentary phases, depending on the balance of power between the President's party and other parties. The constitutional position and power of the president do not always coincide with his actual power. The period while Milan Milutinović was the President of Serbia marked the atrophy of the presidential function with entirely same competences, but

with significantly different levers of power. In the first phase, Milutinović looked like a „guard of the office“, who „does not interfere into his own duties“. In the period when the executive power in Serbia was divided between the President of Serbia from one party (DS) and the Prime Minister from another party (DSS), which were not in coalition, we had the so-called cohabitation or coexistence of executive power or, Serbian-style – „one country, and two masters“. Head of the state and head of the government have disproportional power and legitimacy. By the act of direct election, the president of the Republic has stronger legitimacy than power, since the levers of power are concentrated in the government, i.e. in the hands of the prime minister. In the period from May 15<sup>th</sup>, 2007, when the second Koštunica's government was elected, to July 7<sup>th</sup>, 2008, when the government of Mirko Cvetković was elected, the President of the Republic of Serbia, Boris Tadić (DS) was in a sort of cohabitation with the Prime Minister Koštunica (DSS), but their parties together constituted a coalition government, in which the DS and G17 plus had a majority. After the presidential elections of 2008, Boris Tadić was elected President of Serbia for the second time. Considering that after the parliamentary elections (held on May 11<sup>th</sup>, 2008) the new government was elected, which Prime Minister and the majority of ministers are from the DS, the party of the President of the Republic Tadić, he is in new constellation of powers in the framework of bicephalous executive branch, i.e. two-headed executive power. This is about new presidentialist phase of the semi-presidential system in Serbia.

Then follows a discussion on parliamentarism in Serbia, with analysis of work of the Assembly of Serbia, through the relation with the government and realization of its competences. Deputies on the Assembly tribune resemble gladiators in an arena, but in the benches they reduced themselves to „taster pressurers“, i.e. the voting machine. The decisions already made somewhere else are only verified there. Laws are passed through the Assembly, and not by it. The parliament formally controls the government, but in fact the party leaders of the ruling coalition, sitting in the government, control the parliament through

chairpersons of deputies' groups and by means of party discipline. The National Assembly is somewhere on the boundary between subordinate and submissive legislator. By constitutional solutions and parliamentary practice, representative function of the parliament is jeopardized to a significant extent. Practically, a deputy is reduced to a representative of his/her deputies' group or party, instead of being a representative of interests of voters. The respect and legitimacy of the parliament are jeopardized by frequent transfers of deputies and deprivation of terms of office. The insight in performance of its basic competences again enables the conclusion that the parliament is losing control over its own agenda, and that there is a strong tendency for supremacy of the executive power. Parties, and not deputies, are the main actors, both in shaping the parliament and in its work. A huge task lies before the National Assembly of Serbia, in relation to harmonization of a large number of legal provisions, as prerequisites in the EU association process. Between external imperatives and its internal contradictions, the Assembly will simultaneously have to improve its work «on-the-the-job» and take care of interests of those who elected it, in order to avoid further reduction to a service of the government and the ruling parties.

The next chapter deals with **Serbian governments from 2000 to 2008**. Pursuant to the previous Constitution of Serbia, the executive authority is concentrated in the government, which is the very core of the power. In the period between 1990 and 2008, seven parliamentary elections were held in Serbia and seven (or nine, if we count reconstructions) republic governments were formed.

**The transitory government of the year 2000.** After the political changes in Serbia in 2000 (after presidential and parliamentary elections on federal level and local elections, held on September 24<sup>th</sup>), a transitory government was formed out of the DOS, SPS and SPO. The most important items of the agreement signed by these parties and coalitions pertain to establishment of temporary government of Serbia and calling for republic parliamentary elections. The President of the Government

was from the SPS (Milomir Minić), and its two Vice-Presidents from the SPO (Spasoje Krunic) and DOS (Nebojša Čović).

**The first democratic government** in Serbia was formed on January 25<sup>th</sup>, 2001, with the Prime Minister Zoran Đinđić. The Government of the Prime Minister Zoran Đinđić was coalitional, and its composition represented a combination of political and expert government. After the period of international isolation, the new government in a short time succeeded in opening the country. The first period, from 2001 to 2003, was marked by conflict between the Prime Minister Đinđić and Koštunica, the President of the FR Yugoslavia. The maximum tension between the DS-DSS occurred after expelling of the DSS's deputies from the Assembly of Serbia by the rest of the DOS. Awaiting for the decision of the Constitutional Court, the parliament did not work for almost a year. Due to two different strategies and concepts of legality and legitimacy, an open conflict arose about cooperation with The Hague Tribunal and the extradition of the former president of the FRY Slobodan Milošević on June 28<sup>th</sup>, 2001, based on the Decree of the Government of Serbia passed without approval of the DSS. Another conflict arose because of the assassination of the State Security officer Momir Gavrilović on August 3<sup>rd</sup>, 2001, after his visit to the President of the FRY Vojislav Koštunica. Mutual accusations and insults on account of the two parties' leaders resulted by the decision of the DSS to leave the Government on August 17<sup>th</sup>, 2001. The New Serbia joined them soon.

**Živković's government (2003–2004).** The assassination of the Prime Minister Zoran Đinđić on March 12<sup>th</sup>, 2003, was a huge loss for democratic Serbia and a step backward in democratization and reforms. Zoran Živković of the DS was appointed a new Prime Minister. Considering that only the reconstruction of the Government was performed, without new elections, there are reasons to treat this Government as the second one, but having in mind the continuity and circumstances of its formation (the assassination of the Prime Minister) it is more justified to claim that it is a continuity of the previous Government. In the time of this Government with Nataša Mičić who, being

the Chairperson of the Assembly of Serbia was the Acting President of Serbia, the state of emergency was introduced following the assassination of the Prime Minister. During the course of the state of emergency (about 80 days) the operation «Sabre» was carried out, during which almost 12,000 people were taken into custody, 400 were prosecuted and a large number of them was released. Six days after the assassination of Zoran Đinđić, on March 18<sup>th</sup>, 2003, the National Assembly verified the reconstructed Government with the Prime Minister Zoran Živković (DS).

**The first Koštunica's government (2004–2007).** The second democratic government, formed on March 3<sup>rd</sup>, 2004, was a minority one. It consisted of the DSS, G17+, SPO-NS, altogether with 109 deputies, supported by the SPS (22 deputies). Undoubtedly, the biggest failure of the politics of the DSS and Vojislav Koštunica is the dissolution of the State Union of Serbia and Montenegro, i.e. the separation of Montenegro. There was no agreement in the ruling coalition about the issue of preservation of the state union. While the G17 and SPO advocated independence of Serbia, the DSS, supported by the NS and with international pressure that could not be neglected, led fierce campaign for preservation of the union. The Government was „vertically divided.“ Everybody had strong control over his/her field of activity, and they did not interfere into each other's work. All ministers appointed people from their parties on leading positions within their ministries. Hence the mutual control was disabled. In essence, it was a „feudalized government“. While the G17 plus feverishly fought to gather under its competence the fields through which money is controlled, directed and spent (finance, National Bank, Defense, privatization and the National Investment Plan) together with full control over cooperation with the European Union, the NS sought for the conjoint Ministry of Capital Investments. For the SPO, the most important was to get the federal Ministry of Foreign Affairs, although it had an unfulfilled wish to control the Security Information Agency (BIA).

**The second Koštunica's government (2007–2008).** After the adoption of the new Constitution of Serbia in the end of 2006, the parliamentary elections were called for, to be held on

January 21<sup>st</sup>, 2007. The government was composed of the DS, DSS-NS and G17 plus. On March 3<sup>rd</sup>, 2007, the members of this coalitional government agreed upon five programme principles which would represent the priorities of the new government. These are: Preservation of Kosovo and Metohia within Serbia; Acceleration of European integrations, which meant continuing of negotiations about stabilization and association to the EU; Prompt fulfillment of international obligations of the country, i.e. taking of all measures to finalize the cooperation with the Hague in the shortest possible term; In economic policy: increase of employment, poverty reduction, significant increase of direct investments and investments in infrastructure, completion of privatization and increase of living standard of all citizens; Continuation and expansion of the fight against all kinds of criminal and corruption.

**The government of Mirko Cvetković (2008 – ).** The results of the elections held on May 11<sup>th</sup>, 2007, gave the SPS, i.e. the SPS-PUPS-JS coalition (Socialist Party of Serbia – United Pensioners' Party – United Serbia), an opportunity to be able to decide which of the two blocks would form the government: the national-radical coalition or the Democratic Party and the Coalition for European Serbia. In accordance with the promises given to voters during the campaign, the SPS with its coalition partners first started negotiations with the nationalists (DSS-NS) and the SRS. The negotiations about a government of the SPS and the Coalition for European Serbia started after a month. These two coalitions formed the republic government on July 7<sup>th</sup>, 2008. The Government has been composed of the Coalition for European Serbia (102) + Coalition SPS-PUPS-JS (20) + the Hungarian Coalition – István Pásztor (4) + Bosniac List for a European Sandžak – Dr Sulejman Ugljanin (2) = 128 MPs (out of 250). Among the parties creating the Government, only the Hungarian Coalition does not participate in it. An agreement was achieved with this coalition about certain number of positions in Subotica and in provincial government in Vojvodina. The government has 27 members, 24 ministries and four vice-presidents.

Democratic governments after 2000 faced numerous challenges. Among them we should particularly emphasize: the cooperation with the Hague Tribunal, unsolved status of Kosovo and Metohia and relations with Montenegro. In the context of these three challenges for new authorities, it is important to derive several conclusions. First, all these challenges and temptations, or problems, are very complex; second, none of these problems was possible to be solved independently from other parties – representatives of Montenegro, representatives of Kosovo Albanians, and particularly without participation or mediation of the „international community“; third, every delay in solving these problems led to increase of price, making finding the solution more difficult, and only resembling the purchase of time; fourth: although voters in Serbia are sensitive to these issues, the rating should not be built or preserved upon them, as they expect every party on power, as final bill is always higher and fundamental issues require high level of agreement; fifth, the differences among the leading parties of the new authorities in approaches to solutions of these issues are not that big, but rather in nuances; however, their differences about these issues brought the highest profit in winning votes at elections to the radicals (SRS).

After this, we give a review **of so-called fourth branch of power, i.e. public agencies, regulatory and control bodies**, or autonomous organs and independent bodies. After the political changes of 2000, several regulatory and control bodies have been introduced into Serbia, aimed at controlling the executive power and carrying out a part of its duties, while remaining autonomous. These are: Republic Broadcasting Agency (RRA), Anti-Corruption Council, Republic Committee for Solving Conflicts of Interest, Commissioner for Information of Public Importance, Public Procurement Directorate, Commission for Protection of Bidders' Rights, Commission for Protection of Competition, Ombudsman, State Audit Institution. The goal of all these institutions is to take care for respect of laws and control the work of state authorities. In Serbia, the executive power (the Government) has large competences in selecting so-called independent institutions and regulatory bodies, and therefore they are not

autonomous in control of the executive branch. The largest number of these bodies and organs is of anti-corruption nature. All mentioned bodies waited for long, and some of them are still waiting for creation of elementary conditions for commencing the work, starting from provision of working space, to approval of their enactments on organization and job description. Therefore the role of the above mentioned control institutions is devaluated in the very beginning, and their action discouraged. This is best seen from almost ignoring attitude of the Government, more precisely some of its Ministers, towards concrete findings, estimations and critiques of newly formed control institutions on account of part of executive authorities, public enterprises and the most powerful tycoons. The main problem for independent regulatory bodies to have right to be called the fourth branch of power is the lack of executive competences, except for the Republic Broadcasting Agency.

Then follows the **discussion on judiciary** in Serbia. The situation with judiciary in Serbia after 2000 was one of the biggest concerns of the new governments, considering that it required fast reforms and clearing up, in order for the judiciary to gain credibility and independence in relation to political power. The final balance of reforms in judiciary is not entirely positive. It might be pretty justified to claim that after the political changes the reforms in this field remained the poorest.

When speaking about the **decentralization and local self-governance**, the Constitution of 2007 opened a possibility for returning significant competences to municipalities, in the field of administration of the construction land and business premises, as well as the right to their own income, i.e. the fiscal autonomy. The latter was regulated by the Law on Financing of the Local Self-Government of 2006. According to the new Constitution, the Municipal Assembly decides on election of executive bodies of the Municipality „in accordance with the law and the statute“, and election of executive bodies of towns and the city of Belgrade is regulated by special laws. The new Law on Local Self-Governance stipulates election of city mayors in assemblies of local self-governances. The Constitution of Serbia of 2006

opened space for more emphasized autonomy or Vojvodina and it stipulates substantial autonomy for Kosovo and Metohia. Certain issues of autonomy of provinces and regionalization are left for being resolved by specific laws. According to the Law on the Territorial Organization, Serbia will have two autonomous provinces (Kosovo and Metohia and Vojvodina), 150 municipalities and 23 towns plus the city of Belgrade, which is a separate territorial unit, defined by the Constitution and Law.

### 3. *POLITICS AND SOCIETY*

**The third part** of the book deals with relation of politics and society, i.e. social-structural dimension of the changes in Serbia.

First we give a review of **political and cultural heritage** of Serbia. The authoritarian type of political culture prevailed in Serbia for long. Short democratic and more liberal parts of tradition were interrupted by authoritarian and totalitarian waves, so that it was not easy to rely on them. That what has been written in the „collective memory“ has a strong influence on action of political institutions. Throughout its history, Serbia was always on the crossroads of two worlds and dual influences, of East and West (Byzantium, Ottoman, West-European and Russian). Continuity of authoritarianism, authoritarian political style, personal rule and irresponsible government is noticeable through all these periods. Throughout the history, folk epic and the Serbian Orthodox Church maintained the „memory of the nation“. Objective historical causes show that: „With its central position on the Balkans, throughout its history Serbia stood on the crossroad of cultural and political influences, representing in the same time both a bridge and a battlefield of three civilizations (Roman-Byzantium, Islamic and West European), empires (Byzantium, Ottoman and Austro-Hungarian), religions (Orthodox, Muslim and Catholic)“ (Ilija Vujačić). These elements facilitate recognition of elements of „dynastic cult“, „strong element of organic unity linked to the Orthodoxy“, „oriental despotism“, „germs of statehood preserved in the memory of the nation, particularly under the wings of the church“, „orientation toward state,

ethnocentrism and collectivism“, „personal rule, governing oligarchy and populism“.

The issue of **Kosovo and Metohia** is examined further, with possible outcomes of its future status. In relation to polarized approaches, according to which Kosovo will (for always) be a part of Serbia, or that Kosovo has for always been lost for Serbia, we consider the idea of division of Kosovo as a „historic compromise“. Kosovo is the foundation of Serbian statehood, whereas Albanians create majority and do not see any other solution except independence. The UN Mission came to Kosovo because of the violations of human rights of Albanians, but since its arrival, human rights of Serbs and other non-Albanians have been violated. The failure of the UN Mission reflects both in the security aspect and in the issue of return of displaced persons. After a year and a half of negotiations led by Ahtisaari and four months with the Contact Group's „negotiating 'troika'“, progress was made from „first standards, then status“, „standards and status“, „discussion on standards“ to „discussion on post-status issues“. Serbian negotiating team had several proposals, from the concept of decentralization, „more than autonomy, less than independence“, to the models of Hong Kong and Aland Islands, i.e. „substantial autonomy“ with elements of sovereignty, except for the membership in the UN, OSCE and the Council of Europe. Albanians accepted negotiations reluctantly; they accepted presence and supervision of international community and offered an agreement on cooperation with Belgrade. Everything else from their side fits into a single word – independence. Whatever it is called – supervised, controlled, auspicated – it is, first of all, the promised independence. The factual situation is closer to the division. The book offers arguments for good and bad side of the division. The solving of Kosovo status is directly linked to European context and European perspective of the Western Balkans. One of the most often mentioned goals of the international community is the provision of permanent stability and security in the region. There is a tendency for the UN Mission to be replaced by the EU Mission. Although clear borders are a prerequisite for entering the European Union, Cyprus is the example that a divided state can become an EU member.

Here follows the discussion on **changes of economic-social structure**, through the privatization process, change of economic policy, social reforms, reforms of pension system, to changes on the labour market. In Eastern Europe, it was necessary to carry out changes in economic structure, which unavoidably changes the social profile of these societies. In order to transform the economy, the following changes are necessary: 1. closed economy must be integrated into the world market; 2. centrally planned must become market oriented; and 3. state and public property must become private property. Economic changes in Serbia had all three dimensions. This unavoidably leads to consequences in the sense of „winners and losers“ of the transition. The exit from an apparently harmonized and non-conflict, and above else non-competitive society and from the system with administratively and fictively guaranteed jobs, causes fear and distrust of citizens accustomed to pleasantness and comfort of state funds. In ownership transformation, those who were closer to the power centers could grasp bigger portion of booty for themselves. It is not rare that old elites were shiftier, because they already had a built infrastructure, channels and relations. Old elites used their positions to transform themselves into new, market oriented, economic and political elites. Previous circumstances, when the political power was a way to economic power, acted in their favour, as well as the new circumstances, in which economic power can clear a path to political power. The old oligarchs became new owners of the enormous wealth. The administrative-bureaucratic and security services are connected as a heap of snakes, retaining their acquired positions. Thus the forces of the past became creators of the future. Those who emerged as war profiteers, who came from the grey zone of criminal, smuggling oil and cigarettes, weapons, now establish standards, acting in new way under new circumstances, and even establishing their own parties. Some common characteristics of the transition on the Balkans also mark the transition in Serbia. First, the concept of weak state is the strategic determination and behavior of elites which are solidary in the permanent project of grasping from the state. Second, in the process of transformation

of the society, public and particularly political scene is perceived as a venue of inadequate, unfair and unequal redistribution and gaining personal wealth, and not as a venue of concern for and provision of public good. Third, although there are complaints against (neo)liberals, they have never administered Balkan states. Economic liberals do not believe in social justice, socialists do not believe in market. Ivan Krastev claims that „grasping from the state is the dominant project of new democratic elite on the Balkans“. Due to an unequal burden, first of all of economic dimensions of reforms, sometimes the influence of anti-liberal and anti-Western ideas pervades. Fourth, in Serbia there has never been achieved an enviable level of long-term political consensus about thorough economic transformation, privatization and market economy, integration to the European Union, but these issues were rather a cause for polarization of the society. Fifth, although almost all governments, both during the 1990s (no firing from job under sanctions) and after 2000, took care about those mostly affected by the reforms, an unavoidable outcome is still the division to winners and losers.

Then follows the consideration of the issue of **changes in social stratification in Serbia** through issues of elites, middle and lower classes, but also through pointing to direct consequences in ratio of winners and losers of the transition and the way they vote. Obstructionists of the reforms are winners of the transition. Here come politicians and businessmen, members of old elite who got rich by initial opening of economy. Winners have motives to prevent reforms in order to keep their wealth and gained advantages, whereas losers have less reasons to resist reforms, as they have already become losers so that they could only benefit from the exit from such situation. This claim can be supplemented by the note that losers of the transition do not jeopardize democracy, but they vote for populists, whereas a part of winners of the transition jeopardizes competition, competitiveness, and therefore democracy, and attempts to wrap every elected government with its fingers. These are businessmen, who gained initial advantage thanks to the fact that they find themselves on right place in right time and managed to use it.

They do not wish the reforms to be carried out till the end nor the economy to open completely, as this would mean the arrival of competition, and therefore the jeopardy for their monopolies. In that way, the absence of competition is maintained as a characteristic of reform. Two claims that pervades in part of political and professional public seem suspicious. First, it is not true that after the political changes in Serbia of 2000 a neo-liberal project was established. Second, the claim dominating in public discourse is that disappearance of middle class in Serbia (due to general impoverishment) is one of the main obstacles to democratic development. This „class“ mainly has its strongpoint in private ownership and education, and is interested in economic progress, rule of law and social stability. With its system of values, the middle class gravitates toward political centre and avoids extreme left and right positions. Middle classes in stabile democracies and in former socialist societies significantly differ. While middle class on the West is economically independent, middle class in socialism was to high extent dependant on the state. Both on theoretical and empirical plan, Mladen Lazić and Slobodan Cvejić show that the claim according to which the destroyed middle class is an obstacle to democratic development is wrong, since members of middle class preserved their system of values and their attitudes in spite of impoverishment. Exit from an apparently non-conflict and egalitarian society shows that citizens like social security, social justice and equality. Probably because of that „new“ parties cover that wide space left and right from the centre. Large number of citizens is unadjusted to changes. Not many people found their way in the time of „society of risk“, and an English proverb says: „no gain without risk“. Market society requires competition, and it turned out that many were not ready for that challenge.

Than we speak about the **corruption in Serbia**, its definition, roots, research and fight against corruption. The corruption is a large obstacle to economic and social development. It destroys the rule of law and weakens the institutions, on which the economic development mostly depends. Corruption disables public funds to be used in general interest; instead, a high price

is paid for various sorts of bribery, stealing and irrational consumption. As political responsibility grows, the chances increase for public officials to deal more with public interest and less with obtaining personal benefits. In stable and regulated countries, state institutions deal with corruption. Here, however, long-lasting crisis, crimes and robberies during the last wars dissolved and destroyed the state institutions and the state itself. After 2000, Serbia saw adoption of numerous anti-corruption laws and introduction of numerous anti-corruption bodies. Nevertheless, Serbia is still highly ranked on the *Transparency International* list, as the 106<sup>th</sup> in 2003 and 79<sup>th</sup> in 2007. There is no successful fight against corruption without appropriate cooperation of different actors. No contemporary institution dealing with suppression of corruption can function without a mechanism for cooperation with other institutions and organizations. For this we need cooperation of all actors and segments of the society, as well as simultaneous work on various levels, from education and prevention, including sanctioning, to the extent when the corruption is not worthwhile.

Then follows the analysis of **the ways the national minorities act in Serbia**, first of all through the action of their parties. The largest and best organized are the parties of ethnic minorities of Bosniaks (Muslims), Hungarians and Albanians, living in geographically concentrated and border areas of Sandžak, Vojvodina and in the south of central Serbia, as well as in Kosovo and Metohia. National minorities' parties in Serbia show many similarities, as well as certain differences in nature and level of requirements, and in the modes of political action: 1. Each national minority in Serbia has several parties pretending to represent it and no party managed to impose itself as the exclusive representative of its ethnic group. 2. Majority of ethnic groups recorded attempts of creation of a unique national body, even before the law stipulated formation of national councils. 3. In the area of Raška and in the south of Serbia (as well as in Kosovo and Metohia) parties of national minorities organized referendums on self-governance. 4 Some political parties of national minorities are in permanent or occasional contacts with „native country“, and oriented towards centers of native states. 5. „Harder“ and „softer“ currents („pro-civil“

and „pro-national“) pervaded among main parties of national minorities, as well as within some of them. 6. Weaknesses and mistakes of the former regime in Serbia influenced radicalization of action of minority parties. The old regime did not have a democratic capacity to reintegrate minorities into the system. 7. Another common characteristic of action of national minority parties is occasional attempt for internationalization of certain minority's issue, particularly during some important conference or international talks or negotiations. 8. All parties of national minorities advocated decrease of 5% threshold for parliamentary elections for the Assembly of Serbia. 9. Common request of national minority parties is that their language should enter official use (Albanian, Bosnian, Hungarian and Croatian). 10. Representatives of Hungarians required dual citizenship. 11. In redefinition of constitutional establishment of the State Union of Serbia and Montenegro, representatives of political parties of national minorities had special requests. 12. The mode of action and requirements of political parties of Hungarian national minority differ from the parties of Bosniaks and Albanians of the south of Serbia, in that they are more moderate and less radical. After the political changes of 2000 in Serbia, significant attention was paid to position and protection of national minorities and their position has been improved to a higher extent. For parties of national minorities, the electoral threshold of 5% of votes has been abolished. In Vojvodina, which is the home of numerous minorities, a consensus has been reached to expand its self-governance. That was partly done by the so-called Omnibus Law (2002), i.e. a special law, affirming certain competences of autonomous province. The problem of minorities in the Balkans is, among else, in that the national borders do not correspond with state borders. There is no doubt that national minorities can be the factors for cleavage, but even more the bridges of cooperation with neighboring countries in the region. Advantage should be given to reconciliation, mutual adjustment and compromises.

To continue, we speak about the **civil society in Serbia**, its role in political changes, but also about the reasons of its stagnation afterwards. In post-5<sup>th</sup> October Serbia, the civil society

„as inexhaustible source of requests addressed to the government“ (Bobio) got tired; it is without initiatives, without ideas and means. There is a slowdown in activities on increase of political culture and straightening up of citizens. A part of the reason is the fact that actors are „allocated to high positions“ (Havel), whereas another part results from relaxation due to the feeling of „the job done“ – the change of the regime. Partnership relations with the government have not been built. There are less and less alternative projects. The previous period has not been used for training in fundraising. Reduction in donations yielded reduction of activities. Neither the „democratic government“ showed that they can act together with actors of civil society, thus supporting reconstruction and development of political community. The civil sector, which played a significant role in the change of the regime in Serbia in 2000, did not get either the „decoration“ (citizens and civil associations) or frequencies (independent electronic media). G17+ and Otpor formally transformed from civil sector (expert group, NGO) to political parties. It is not necessary to remind that the way to civil society requires permanent activity of citizens, association and institutions of citizens and civic public.

We also consider the issue of the **relation of the Serbian Orthodox Church and the state**, differentiating the period of the 1990s and after. The public often has controversial attitudes about the relation of the state and the Serbian Orthodox Church (SPC), in the range from the influence of the church to the state and politics in Serbia being too big, to that it is insufficient. Democratization in Serbia, particularly after the political changes, opened a new chapter regarding the role of the church. Although the relation of the SPC towards the regime during the 1990s was winding, since 2000 it more clearly stands on the side of the „democratic opposition“. An indicator of the active role of the SPC in the political life of Serbia is the fact that the Church does not miss opportunities to define itself toward important political issues. In issues pertaining to Kosovo and Metohia, the church acts according to the nature of its role throughout history. All post-5<sup>th</sup> October governments had the Ministry of Religion, with best cooperation with the Church.

It is obvious that after the political changes in Serbia the new authorities has shown a higher level of interest and understanding for problems of the SPC. Significant steps forward have been made in realization of the Church's requests. Due to the heritage of the Orthodox Church from the former SFRY, through the dissolution of the state and the tendency for independence or establishment of new orthodox churches (Macedonian, Montenegrin), these issues left traces on diplomatic relations of Serbia and its neighbours as well.

At the end of this part of the book there is a discussion on **political dimension of globalization**, i.e. globalization challenges for Serbia through three dimensions: transformation of sovereignty and nature of national state; expansion of democracy and universalization of human rights; and increase of global administration. In order to find our place in contemporary world, it is necessary to know and understand it first. The answer is not in isolation, but in openness, cooperation and adaptation. This success can be an excellent incentive for harmonization and modernization. The Balkan states are mostly weak, with a strong role of international community (protectorates). The states, or small states, are called entities, the sovereigns are high representatives or special envoys, and the frequent expression for „territory“ is – „in these areas“. Instead of being open, the borders are hollow, and identities are mixed. The reality and unavoidability, and according to some opinions also the destinal dimension of globalization, reflect in the fact and in historical experience telling that the undeveloped have never been an example to the developed ones, nor the weaker dictated the stronger, but opposite. If incorporation into modern order is not a formula for salvation, it is certain that the lack of incorporation leads to marginalization and is the way to „ghetto society“, the experiences of which are still fresh. The search for and finding oneself are lost in these labyrinths and in the triangle: globalization, Europeanisation and national identity. The reorganization of personal lives and action of institutions and organizations should be redirected along the „local-global“ axis. The so-called „glocalization“ means a complex interaction of globalizing and localizing tendencies,

as a synthesis of particularistic and universalistic values. On the road to oneself, one should start from him/herself. It is a problem when problems are seen only in others. The answer is not in isolation, but in openness, cooperation and adaptation. It seems that it was most integrated in European context when its intellectuals and elite corresponded to the highest level with the environment and the world. Balkanization is not an alternative to globalization, as that term means fragmentation of states and an out-of-European process. In the same time, the Balkans was, and still is, a synonym for „border position“, „inter-position“, the crossroads or the bridge dividing East and West, Europe and Asia. The bridge as a metaphor also connects different phases of development. It serves to be crossed, but also to link and bridge different shores. Globalization is like a two-way street, in which influences from big and developed (West, North) states and powerful transnational companies go towards small and undeveloped (East, South) cultures and communities in two lanes, whereas only one lane runs in opposite direction, from the periphery to the centre. A prerequisite for finding or obtaining the best possible role and taking the best possible position in contemporary world is to analytically and critically understand the reality and accept unavoidability of globalization processes. This success can be an excellent incentive for harmonization and modernization, i.e. for doing at least what depends on us, or the sole thing that depends on us.

#### 4. PARTIES AND PARTY SYSTEM OF SERBIA

**The fourth** chapter is devoted to **political parties** – both to their interaction, i.e. the party system of Serbia, and their internal relations. Parties perform numerous functions in political process, from political recruitment, articulation and aggregation of interests, political communication and mobilization, to channels for mass political participation. Among else, they must rule and take the responsibility for ruling. In Serbia, the **party system** is moving from extreme to moderate pluralism. Besides, the party system of Serbia has characteristics of a polarized pluralism according to Sartori's criteria. Taking into account the coalitions

as units, and not individual parties within them, the „effective number of parties“ in Serbia was as follows: 1990 – 1.4; 1992 – 3.4; 1993 – 3.3; 1997 – 3; 2000 – 4.9; 2003 – 5; 2007– 5.5; 2008 – 4.25); however, if we take into account the parties of minorities for which there is no electoral threshold and which leave the impression of a higher level of fragmentation of the party system, then in 2008 the effective number of parties is 6.63.

The experiences in **financing political parties** are among objective weaknesses of contemporary representative democracy. For a longer period of time, there is a search for institutional instruments which would reduce money's influence on politics. Rich people finance parties, party officials used their political power and influence to work out certain state decisions or disable their passing, and in return they got private or group economic benefits – which make the essence of the corruption. Such phenomena lead to weakening of legitimacy of democratic regime and loss of interest in meaning and role of political parties. In the sphere of parties' financing, corruption mostly consists of two illegal acts: when parties collect certain funds in the „secret fund“, as a counter-favour for certain promised or already made favour, and then a party official takes a part of that money personally for him/her. This is about an illegal convergence of economic and political influence. It is known that money has adjustable structure, and often also a suspicious origin. Financial oligarchies wrap every government with their fingers, and parties are potentially always a good way for performing these transfers and arrangements. There is a strong feeling that financial magnates often govern political events. A number of people with large financial assets at their disposal achieve their personal goals transferring money to politics through party leaders, and either manages to preserve their fortune or attempts to increase it. Instead of being responsible to voters, politicians are more and more often accountable to those who finance them. After the elections are over, the leaders distribute two thirds of each party's terms of office. This causes big and justified suspicions that the power of money influences the distribution of terms of office, i.e. that a party Maecenas can become a MP. Few people, even

the minority on the party's top, actually has an idea where the money comes from and what is its origin and purpose. That is the most mysterious field in political life. Political power can be a way for gaining fortune, as well as fortune can clear the road to political power.

**In their internal structure, political parties** are mostly non-democratic, although they build an external image of democratic organizations. Party relations are relations of power, both within and among the parties. The leaders dominate in creation of human resource policy. They grasped the authorization to appoint up to one third of members of the Main Board and they have direct influence on the composition of the MPs list. MPs are responsible to parties and not to citizens. Parties are rather monological than dialogical organizations. The „don't agitate“ principle suppresses penetration of different opinion and democratic dialogue. The fate of the leader's surrounding is linked to and twisted with his fate. Party oligarchy can be a strange mixture around the leader, twisted and composed of formal party leaders and officials; however, party leader is also surrounded by financiers, relatives, friends and other influential people. Here belong the people who link their fate to a single name, single party, single government, craving to use the maximum of the moment of power, i.e. term of office. Such „addicts“ please the ruler's caprices, buying his favor. They do not think by their brains, but by the brain of the party and its boss. In that circle, discussions are not entirely honest, as they offer an embellished picture of reality. This resembles a „clan“, „camarilla“, „clientele“, gathered around the leader. In such an informal structure which surrounds the party leader, deadly serious decisions can be made, both for the party itself and, if it is ruling, this means also decisions with long-term consequences. „Self-elections“ often hide behind formally democratic elections. The party leadership can be elected, appointed and co-opted.

Interparty disagreements and conflicts often result in **splitting and division of parties** in Serbia, leading to further fragmentation. In non-institutionalized party system, politicians often change parties. Transfers of MPs enabled certain parties to

become parliamentary parties without elections. Non-electoral parliamentarization means that a party became a parliamentary party although it did not obtain terms of office at elections, or didn't even exist in the time of elections. The previous combined analysis of theory of parties and practice in Serbia leads to conclusion that main political power is hidden in internal structure of political parties, where a group of people – oligarchy, within which one person holds the key position, makes main political decisions and conducts the redistribution of power. What is directed in the oligarchy core is got through the agenda and played on governmental and parliamentary sessions. Members of the „old“ oligarchy use their political mechanisms for gaining economic power, in order to control political power with their own money „from the shadow“, after stepping down from power. In that vicious cycle of game of power and game for power, the oligarchy power in political parties is the main seat and centre, main mediator and main actor. The central position within that oligarchic core is occupied by the party leader.

In this part, the book points to **decisive role of leaders in political parties**: their long staying on positions, symbolization of programme and organization, as well as an important role which they have in determination of voters. In almost all parties, leadership tendencies are present, together with the attempts of party's boss to accumulate in his hands as much competences as possible, for making key political and human resource decisions, as well as to accumulate and distribute the party's power. Same as regimes are recognized per names of rulers, the parties are recognized per names of people who lead them. Mihels describes the appearance of leadership in a way that a leader gathers the like-minded and establishes a party, where from the very beginning he/she decisively influence the most important party decisions and has the largest portion of power in the party. This process of embedment of party leaders is characteristic for establishment of parties in post-communist societies.

**Party system with lower level of institutionalization** is characterized by weak regularity (of models and rules) of party competence, weak embedment of parties into society, weak

coordination of legitimacy of parties and elections, weak party organization with frequent domination of party leaders, and with frequent changes of parties. In spite of numerous weaknesses, the parties and party system of Serbia show certain tendencies towards consolidation and institutionalization. This can firstly be illustrated by gradual limitation of power of party leaders in favour of the membership; secondly, by reduction of number of parties, i.e. the tendency from extreme to moderate multipartism, and thirdly, by decrease of party membership, similar to other countries in this part of the world. The „populists thread“ in our democracy remains the impeding circumstance for the action of political parties in Serbia.

The former communist states of Eastern and Central Europe had different dynamics, ambitions, but also obstacles on the way to the European Union. When speaking about Serbia, there is a direct interdependence of the **democratization** and **Europeanization** processes. They both require respect of certain standards and fulfillment of certain criteria. These processes are therefore complementary. Democratization is frequently understood as harmonization with the EU standards. For Serbia, the 1990s were the most difficult period: wars on the territories of the former SFRY, foreign-political isolation and the UN sanctions, NATO bombing campaign, Milosevic's authoritarianism. This was an anti-European and out-of-European way. After the political changes of 2000, improvement of relations with the EU and admission to its membership became the priorities for the new Serbian government. In respect to similarities with other post-communist societies, Serbia was not bypassed by the process in which the epilogue of the collapse of communism was the dissolution of communist federations (USSR, CSSR and SFRY) along national-federal seams. Nationalism always potentially bears or reproduces anti-Western sentiments. Strong influence of authoritarian heritage reaches present days, leading in many aspects to Euro-skepticism. The implosion of communism influenced development of states and societies of the former SFRY. What is common for all of them is that the EU membership is the most desirable future. The integration into the EU is one of

the biggest challenges in the Balkans. This process, among else, implies stabilization of the region and Europeanization of the Balkans, which was and still is a synonym for a non-European way. Western Balkans is a term which the EU uses for Albania, Bosnia and Herzegovina, Croatia, Former Yugoslav Republic of Macedonia (FYRM), Serbia, Montenegro and Albania (or former Yugoslavia, minus Slovenia plus Albania). On the Thessaloniki Summit in 2003, the Council of Europe clearly opened the perspective for this region: „The future of the Balkans is in the EU“. The negotiations on conclusion of the Stabilization and Association Agreement were opened on October 10<sup>th</sup>, 2005. They were expected to last until early November 2006. They were suspended on May 3<sup>rd</sup>, 2006 and continued on June 13<sup>th</sup>, 2007. The Stabilization and Association Agreement was signed on April 28<sup>th</sup>, 2008. Comparing to the states in its surrounding, Serbia tremendously lags behind in the process of association to the European Union. In December 2007, Serbia became a member of the Partnership for Peace.

European integration processes unavoidably influence national political parties and party system, on four levels: on the level of political system, on the level of party system, on the level of parties and on internal relations within parties. These influences can be direct and indirect. Direct or immediate consequences are debates, divisions and the very thematization and problematization of European issues (*issue dimensions*). The indirect consequence occurs due to the necessity for adjustment, thus reducing the level of influence and control of national actors. Some parties in Serbia have become members of European party federations (Europarties). Of the relevant parties, DSS and G17 PLUS have been received in the European People's Party (EPP), the federation of conservative, Christian-democratic and people's EU parties in the status of associated member (June 2005). The DS has been admitted in the Party of European Socialists (PES), the federation of social-democratic, social and labor EU parties in the status of observer (December 2006). This type of membership does not entirely correspond to program contents of these parties or the way they are perceived by the electoral body. The membership of our parties in European

party federations means the recognition of European forces which can push forward in the process of association to the EU. After a ten-year isolation of the country, integration in the EU enjoys a large support among the citizens of Serbia. Imperatives of integration are in that larger as experiences of the UN sanctions and 'ghetto society' are strong and fresh. From 2002 to 2008, about 70% of citizens of Serbia would vote „yes“ on the referendum on entering the EU. There is an anomaly present. Although 70% of citizens support the entry in the EU, significantly smaller number supports extradition of the indicted for war crimes, although it is a condition for negotiations on the Association Agreement. After the political changes of 2000, Serbian parties do not have that much dilemmas about the road to Europe; rather there are issues of dynamics and removal of obstacles standing on that road. All relevant parties in Serbia, same as in other countries of this part of Europe, attempt to build European facade, being aware of the need that the competition for power as well as performing governance understand meeting of European standards and integration into European party system. In the domain of party organization, there are innovations obvious in introduction of bodies dealing with international cooperation in the DS, SPO and GSS. In respect of engagement and activity of the parties on the way toward European integrations, we might define a conditional difference to pro-European active parties (DS, G17 Plus, LDP, SPO), pro-European less active (DSS, suspension of association negotiations due to lack of cooperation with The Hague, voting against the SAA), inactive (SPS, since the 6<sup>th</sup> Congress of 2003 determined for joining of Serbia to the EU) and anti-European parties (SRS). Among the relevant parties, the DS and G17 Plus emphasize the importance of joining of Serbia to the EU more than the others. According to Article 191 of the EU Treaty, „parties are important as a factor for integration“. While the development of European parties follows the development of the European Union, here the cooperation of parties in European frames goes ahead and traces the road to European integration processes. Their role and influence should not be overestimated; however, they must not be underestimated anymore.

The end of this chapter speaks about reasons for **criticism of parties and occasional anti-party attitudes**, but also about the fact that there is no alternative to political parties. Very often, political parties cause controversies and criticism, due to their ever-presence and occupation of state institutions, and impossibility for common people to climb the social scale without them. Parties are often not favorites, not enjoying trust, and there are even anti-party sentiments. Discredit of parties, unfulfillment of promises and programmes, frequent change of positions (repositioning), all lead to endangering of their position as important institutions and a pillar of democracy. Criticism of political parties (whether justified or unjustified) is based on the claim that parties deform the „original“ mode of democracy – direct rule of people, due to the loss of representativeness or due to deviant phenomena in its internal structure (non-democracy). Perhaps the role of the parties was best expressed by Tocqueville, who called them the „necessary evil of democracy“. Among the malign aspects, we can state their oligarchic character, hierarchical organizational structure, suspicious role of money in their functioning, party discipline which restrains quality and educated people favoring mediocrities and loyal ones, as well as diverse modes of ideological and other manipulations. Lack of satisfaction with the parties results from several kinds of reasons. First, there is a doubt that parties express only partial interests, which derives already from their etiology. Second, being blinded with electoral success, parties „do not see forest from the trees“, i.e. they neglect problems and issues of deeper social changes and development of state and society. Third, parties show tendency of narrowing the field of general social agreement (basic consensus). Fourth, in their internal logic, party (organization) has always been above and before an individual (member), meaning collectivity before individuality. As a mode of collectivity, party does not tolerate dissonant tones in its orchestra, but prefers chorus singing. Only the leader can have right to solo singing, i.e. can have opportunity to be „the first violin“.

Political parties, among else, must rule and take responsibility for ruling. An insight in the process of changes and transformation of political parties gives us reason to conclude that today

mass parties are in decline and that comprehensive, i.e. *catch-all* parties or electoral-professional parties are coming instead. With us, negative assessment of parties pervade, having strong roots in deeper layers of traditional political culture, which puts high premium on unity and harmony and which, therefore, considers the multipartism as one of main causes of divisions and conflicts. It is impossible that a conflict about fundamental issues creates foundation either of democracy or any political order, since „parties certainly remain on the scene only if they manage to find a balance between daily party politics and unpartisan ruling, loyalty to the party and loyalty to the state, party interest and general interest“ (Sartori). In spite of certain doubts of citizens, „parties are necessary, although not ideal instrument of democracy“ (Goati). Although the thesis about party decline pervades from time to time, today they firmly keep their position in many aspects of politics. Parties control process of nomination (proposing) of candidates for public functions almost always and everywhere. Elections for parliament and government, or president of the state, are unimaginable without them. Without parties, it would be much more difficult for voters to recognize which options are offered and which (whose) candidates pretend to public functions. Parties, therefore, control human resource policy, political agenda and decision-making process.

## 5. BETWEEN PARTITOCRACY AND DEMOCRACY

**The fifth** chapter attempts to point to partitocracy as the key hallmark of political order in Serbia, where parties, burdened by division of booty, not only failed to shape the basic consensus, but also compete and confront about fundamental issues of political community, therefore neglecting the shaping of public good and care for public interest. Partitocracy is an obstacle to processes of democratic consolidation of Serbia.

**Partitocracy** (Fr. *Partitocratie*, Germ. *Partitokratie*, Ital. *Partitocrazia*) in literal translation means the rule of parties. Partitocracy means the condition in which political parties dominate the state and colonize all segments of society, from public

administration (state administration, public enterprises, public services, management boards), to all institutions of education, media, culture, etc. This means that political parties act as patrons and individuals as clients. In that way, it is almost impossible to participate in performing public tasks without a party membership card. In such circumstances, citizens understand that the value system and system of merits (meritocracy) are jeopardized by domination of party membership, loyalty and obedience. Partitocracy destroys meritocracy and jeopardizes democracy. Partitocracy means adjustment and subordination of the state and society to the needs of the ruling party or parties. Partitocracy in Serbia can be observed in institutional realm (the Constitution, law, electoral system), in political culture and tradition, but also in understanding of politics rather as satisfaction of partial and personal interests than as shaping of public good. Due to the strong pressure on employment, the parties use their position in the government for overbooking of public services (see below the data about increase of number of state servants), public enterprises, schools, health care, services, administration. It is understood as a portion of booty after the elections. Situating party members and promoting interests of its financiers are two new functions of political parties. After the elections, parties that form government „claim“ the right to master over the state and occupy and usurp public good and public services. In the first circle of decisions after the elections, political parties in Serbia inviolably decide about allocation of their people to 250 seats in the parliament, 18 to 30 ministerial positions in the government, 100 to 150 posts of state secretaries and assistant ministers (who are not selected through competition). A ministry can have one or more state secretaries who are appointed and dismissed on government's proposal. Also, a minister can have three special advisors at most. There are separate organizations for performing tasks of state administration, pertaining to preparation, adoption and/or proposing technical rules. Also, the government, i.e. ministries, founded numerous agencies. It is worth mentioning that apart from parliamentary elections for the National Assembly of the Republic of Serbia, there are also

elections for the Assembly of the AP Vojvodina which has 120 seats, for the City of Belgrade which has 110 councilors, in addition to councilors of 24 city assemblies and 150 municipal assemblies. All these are positions for satisfying people close to the party, first of all. After ministerial positions, public enterprises are perhaps the second most important booty of political parties after the electoral victory. Restructuring and privatization of public enterprises in Serbia have almost not begun. State ownership over public enterprises is still large, partly due to the resistance of political parties to lose the „ownership“ over such generous resources.

Proportional electoral system with open lists on republic and local levels contributed strengthening of the tops of the ruling parties, which do not only create the lists of candidates for assemblies at all levels, but also decide about which candidates will enter the assemblies and how they will vote therein. Partitocracy in Serbia is embedded in tradition (inertia) from the period of single party system, and then also certified in the 2006 Constitution by introduction of solutions leading to imperative mandate. Parties enjoy state subvention, i.e. they are in part financed from federal and provincial budgets. Although the term and theoretical concept of partitocracy is not entirely developed, it can be probed through institutional solutions: the Constitution, electoral system, Law on Financing of Parties, manner of appointing state administration and fulfillment of positions in public enterprises; then, cultural – with heritage of political culture from the times of single party system, i.e. party state; and also from the aspect of role and functioning of political parties.

**The transition and democratization process** from non-democratic to democratic regimes encompasses several phases from crisis and break of old regime to free elections and **consolidation of democracy**. In establishment of democratic orders, it is important to know and be assured in the very beginning that institutions are important and that their adequate selection can have significant effects in the process of further building and consolidation of democracy. In that sense, the relation between institutions and social norms is important. This relation is not one-sided, but is permeated with mutuality. Institutions are

created and supported by social and political actors. Therefore it is very important that they are as widely accepted as possible. For subordination to institutions, prerequisites are important, and not institutions, as laws are changed easier than habits. The difference between institutions and social-structural conditions is, among else, in that institutions can be changed easier than circumstances and environment in which they act, but they function better if they are accepted by the broadest possible layers of citizens. This requires permanent work on maturation of citizens, increase of level of political culture, acceptance of values of individual freedoms and individual choice, democratic competition and participation. Family upbringing and education play a big role in this process; however, media are largely responsible as well. Democratic consolidation assumes learning and deriving lessons from several electoral changes of government. Consolidation of democracy is ending of transition from non-democratic (authoritarian) to democratic regime. Upon synthesizing requirements of various authors, we find several criteria for consolidation: 1. Holding of free and fair elections is very important, but also important is the question of what is going on in the period between the elections; 2. Two turnover test (Huntington); 3. Are elected representatives the bearers of effective power or is that somebody else? Who has the largest portion of power and who has the most of authority? Apart from elected politicians, are there power centers beyond their control?; 4. To which extent is the readiness for subordination to democratic institutions of more permanent character, or is it only a tactical issue for political actors? 5. What is the level of political responsiveness and accountability, Sartori and before him Karl Fridrich have written about? 6. What are the possibilities for participative democracy, which among else means control of citizens over politicians between elections? One of the problems burdening democratic consolidation of Serbia is the role of so-called „reserve domains“. Parts of the state security service and some oligarchs, i.e. tycoons (gathered around an association – the „Privrednik“ club) have significant power and influence, i.e. „government with no election or responsibility“. In other words, it is about a dimension

Linz and Stepan, Samuel Huntington, Andreas Schedler and Larry Diamond pointed to, and that is the issue of how do we know if elected representatives are really the most powerful decision makers and that there are no „reserve domains“ of army, police or oligarchic power. Another big problem is the fact that Serbia is „unfinished“ (Zoran Đinđić, Nenad Dimitrijević) or „unbounded“ state. This can be interpreted also as the problem of uncompleted national issue and unsolved state issue. Solution for this issue is in direct relation with the nature of social cleavages in Serbia. Ideological-political, or historical-ethnic cleavage national-civil, is dominant. In many aspects, this cleavage characterizes the political scene of Serbia and slows down the democratization and modernization processes, and it will continue to be a generator of divisions and conflicts as long as Serbian state and national issue is not solved on the basis of broader consensus. Democracy in Serbia is not enrooted, nor defined as „the only game in the city“, but even when it happens, democracy is by its nature a „fragile creation“ which its citizens must permanently take care for and improve. Two issues making our road toward consolidated democracy significantly different and more difficult than the roads of the others are fresh experience of NATO intervention and the issue of future status of Kosovo and Metohia. In Serbia, the changes were carried out without a discontinuity with the former regime and were characterized by a liberal deficit that would reflect to dynamics and success of reforms. „Liberal revolution“ without constitutionalization led to speaking about „betrayed revolution“. Unfulfilled promises, betrayed hopes and expectations („the bigger the expectations, the bigger would be the disappointments“), yielded slowdown and loss of trust in values and importance of democracy and its institutions. When speaking about minimal concept of democracy, usually used term is electoral democracy. This means that new democracies, after single party, military or individual dictatorships, underwent changes in the sense that these regimes now have some form of pluralism, interparty competition and selection, but there are still not enough bases for them to be entirely considered democratic regimes. They carry out periodical electi-

ons in order to satisfy internal or external factors and gain a sort of democratic legitimacy. However, without other elements of democratic constitutionalism (understood much broader than the constitution) such are the rule of law, political accountability and public deliberation, the achievements reached so far remain incomplete and insufficient. Serbia during the 1990s was an authoritarian regime in democratic robe. After the political changes of 2000, electoral democracy has been established in Serbia, with elements of liberalization on the way toward democratic consolidation. Eight years after the change of the old regime, the outcome of democratization of Serbia is in the range of more than electoral, less than consolidated democracy.