

VIEWS ON FREEDOMS BETWEEN DEMOCRACY AND AUTHORITARIANISM: THE CASE OF SERBIA

POGLED NA SLOBODE IZMEĐU DEMOKRATIJE I AUTORITARIZMA: SLUČAJ SRBIJE

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Abstract

Transitioning from one system to another might be difficult for one country. That happened with Serbia, which proved that the process of transition and adaptation to liberal values could exhaust the country. In this paper, the author examines political rights, the election process, civil liberties, and the status of the media and civil society during Milosevic's reign and in the post-Milosevic era. The author argues that Serbia has not developed democracy in full capacity yet and that Serbia is an example of semi-consolidated democracy. In this text, the author uses quantitative and, qualitative criteria to examine the situation of democracy in Serbia during the Milosevic era, and in the post-Milosevic era. The main focus was on civil liberties, political rights, media freedom, and civil society. To examine these things, we used primary and secondary sources. The author analyzed the period from 1994 up to 2018/19. The paper structure is the following. In the first part, the author gives basic information about the country's history. The second section outlines political rights, civil liberties, and elections. In the third section, the author examines media freedom and civil society with a focus on the Milosevic era and the post-Milosevic era. In the conclusion section, the author sums up and briefly emphasizes the paper's main findings.

Keywords: freedom, democracy, authoritarianism, Slobodan Milosevic, Serbia

Sažetak

Prelazak iz jednog sistema u drugi može predstavljati težak proces za jednu zemlju. Takve poteškeće zadesile su sa Srbijom, koja je dokazala da proces tranzicije i prilagodavanja liberalnim vrednostima može da iscrpi zemlju. U ovom radu autor istražuje politička prava, izborni proces, građanske slobode i status medija i civilnog društva tokom Miloševićeve vladavine i u post-miloševićevsko doba. Autor tvrdi da Srbija nije razvila demokratiju u punom kapacitetu, odnosno da Srbija predstavlja primjer polukonsolidovane demokratije u analiziranom razdoblju. U ovom tekstu autor koristi kvantitativne i kvalitativne kriterijume da bi ispitao stanje demokratije u Srbiji tokom Miloševićevog i post-miloševićevskog doba. Glavni fokus u radu je na građanskim slobodama, političkim pravima, slobodi medija i civilnom društvu. Da bismo ispitili ove stvari, koristili smo primarne i sekundarne izvore. Autor je analizirao period

1994 - 2018/19. Struktura rada je sljedeća. U prvom dijelu rada autor pruža osnovne podatke o historiji zemlje. Drugi dio rada fokus stavlja na politička prava, građanske slobode i izborni proces. U trećem dijelu rada, autor analizu usmjerava na slobodu medija i građansko društvo sa fokusom na Miloševićevo i post-miloševićevsko doba. U završnom dijelu autor sumira i ukratko naglašava glavne zaključke rada.

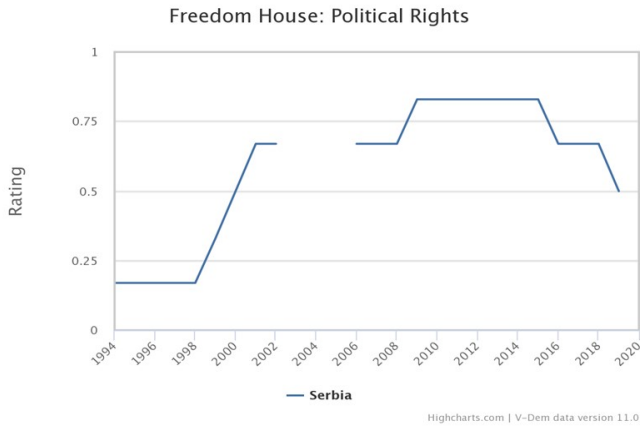
Ključne riječi: sloboda, demokratija, autoritarizam, Slobodan Milošević, Srbija

1. COUNTRY BACKGROUND

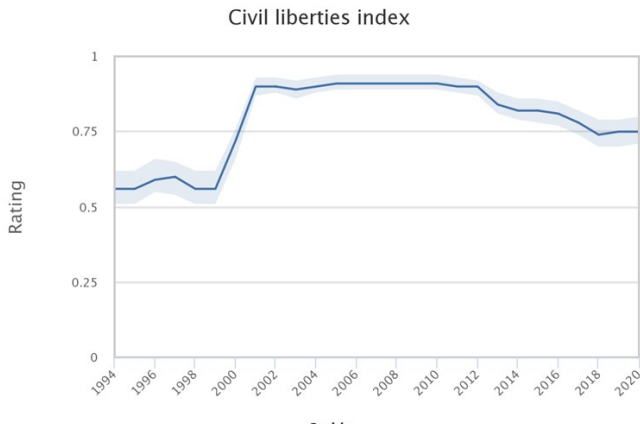
Serbia is located in the Balkans. During the 20th century, Serbia was a part of Yugoslavia. The capital city of Serbia is Belgrade. Before the establishment of the Land of the South Slavs, Serbia had been dominated by the Ottoman Empire and after Austria-Hungary. As mentioned after the dominance of these two empires, the Kingdom of Serbs, Croats, and Slovenes (the Land of South Slavs) was created. That land includes today's modern countries of Kosovo, Serbia, the Republic of North Macedonia, Bosnia and Herzegovina, Croatia, and Montenegro. From 1918 to 1929 this country was called the Kingdom of Serbs, Croats, and Slovenes. Since 1929 the 6 January dictatorship has been imposed by King Alexander. By imposing this decision King Alexander abolished Vidovdan Constitution, changed the name of the country into the Kingdom of Yugoslavia, and banned activities of political parties. Such a decision had a huge impact and complicated relations in the country. During World War 2 country was occupied by Germany. From World War 2 new country has been born and dominated by the ideology of communism. The communist leader Josip Broz Tito managed to come out as a winner from the war. He established Socialist Yugoslavia. This state was made up of six republics Bosnia and Herzegovina, Serbia, Croatia, Macedonia, Slovenia, Montenegro, and two autonomous provinces Kosovo and Vojvodina. The capital city was Belgrade. Immediately when the country was established famous Stalin-Tito split of 1948 occurred. Such developments influenced the policy of Socialist Yugoslavia. During the Cold War, Socialist Yugoslavia pursued the policy of neutrality and became one of the founding members of Non –Aligned –Movement. When Tito died in 1980 problems caused by nationalism and the economy occurred. Immediately after Tito's death, the country was struggling with the economy and nationalism. The collapse of communism added extra fuel to Yugoslavia. Talks intended to transform a country into a functional state, transforming federation to confederation fail. Croatia and Slovenia have seceded. Also, Bosnia and Herzegovina followed this example, but peaceful transitions did not take place in Bosnia and Herzegovina and resulted in aggression and genocide.

With the disintegration of Socialist Yugoslavia, Serbia and Montenegro established a federation known as the Federal Republic of Yugoslavia. The situation became complicated in 1999 when NATO intervened due to the ethnic cleansing of Albanians in the province of Kosovo. In 2000 Serbia witnessed the overthrow of Slobodan Milosevic, but this will be discussed later in this paper. The consequence of these events, where the overthrow of Milosevic, but the country remained unstable. That became visible later when the State Union of Serbia and Montenegro (created in 2003) collapsed in 2006. In 2008, despite Serbian opposition, Kosovo seceded and declared independence.

2. ANALYSIS OF POLITICAL RIGHTS, ELECTIONS, AND CIVIL LIBERTIES



Source: Freedom House: Political rights



Source: Civil liberties index

In this part, we are going to analyze political rights and civil liberties. The period we shall analyze in this part is from 1994 to 2018. Schmitter and O'Donnell argue that "Transition is the interval between one political regime and another".¹ (Schmitter, 1986, p. 3)". That was not the case with Serbia. Slobodan Milosevic served as Serbian president from 1989 to 1997. During his reign, he had absolute power. Reports suggest that situation developed in this way.

Milosevic knew very well how to strengthen his position in new circumstances. "It is important to bear in mind that Milosevic deliberately tailored the constitution of the FRY to fit his personal needs. As long as he was the president of Serbia he wanted (constitutionally and politically) a weak president of the Yugoslav federation".² After completing his mandate as president of Serbia, Milosevic wanted to become president of the Federal Republic of Yugoslavia. Slobodan Milosevic as a brilliant tactician wanted to do the same thing when he became president of the Federal Republic of Yugoslavia, by strengthening the authority and power of the FRY president.

"Milosevic succeeded in getting elected by the federal parliament as president of the FRY, with a four-year mandate... To enhance his power and to facilitate the victory of the SPS candidate in the presidential election, Milosevic is likely to concentrate on short-term improvements to the Serbian economy. To this end, the Serbian government has sold off a 49 percent share of the state telecommunications monopoly, for which Greek and Italian telecommunications companies paid US\$ 907 million, of which 80 percent was paid immediately in desperately needed cash".³ Most of the people decided to boycott the election intended to strengthen Milosevic. Opposition was divided they did not have a unique attitude. Ethnic Albanians in Kosovo also boycotted elections.⁴ On the other side: "The West insists that Belgrade must improve its human rights record in Kosovo before it will lift an "outer wall" of sanctions that bars Yugoslavia from gaining access to badly needed financial aid".⁵

Order	Political party	Total votes
1. Milan Milutinović	SPS, JUL, ND	1.665.822
2. Vojislav Šešelj	SRS	1.227.076
3. Vuk Drašković	SPO	587.776

¹ Guillermo O'Donnell, Philippe C. Schmitter, *Transitions from Authoritarian rule: Tentative Conclusions about Uncertain Democracies*, The John Hopkins University Press, Baltimore/London, page 6.

² <https://www.refworld.org/docid/3ae6a6be4.html> Publication Date UNHCR 01.08.1998.

³ Ibid.

⁴ <http://edition.cnn.com/WORLD/9709/21/serbia.election.update/> Publication date 21.09.1997.

⁵ Ibid.

4. Vuk Obradović	Socijaldemokkratija	115.850
5. Dragoljub Mićunović	Demokratski centar	86.583
6. Miodrag Vidojković	Grupa građana	29.180
7. Miodrag Vuletić	Liberalno demokratska stranka	21.353

Source: The results of the first-round presidential election Serbia 1997

Order	Political party	Total votes
Milan Milutinović	SPS, JUL, ND	2.181.808
Vojislav Šešelj	SRS	1.383.868

Source: The result of the second-round presidential elections Serbia 1997

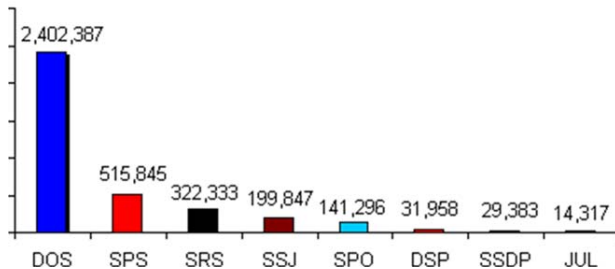
Milan Milutinovic who came after Slobodan Milosevic was loyal to him, working with him closely and joining him during the Rambouillet conference. Citizens of Serbia when talking about Milan Milutinovic they used to say “a man who doesn’t interfere, not even in his job”.⁶ There were 10 candidates for president of Serbia, including five candidates that the opposition had. As mentioned Milosevic had absolute power and that power included control over the police. That resulted in the brutal violation of human rights, especially over Albanians in Kosovo and the region of Sandzak. “Ethnic minorities continued to suffer most. Systematic police repression in Kosovo, where some 90 percent of the population are ethnic Albanians, included killing suspects allegedly while they were fleeing or resisting arrest, beating detainees and prisoners to death, arbitrary arrests, and widespread harassment. Paramilitary attacks and threats tolerated by the Belgrade regime resulted in the murder and dislocation of many Muslims in the Sandzak region”.⁷ The situation was terrible for minorities and they have not had a fair public trial, because the judicial system has not been free from political influence.

Opposition to the government at that time partly was suppressed by Milosevic but also was scattered and divided, because of their ideological orientation. Economic sanctions and isolation that have been imposed on Serbia forced the opposition to forget about their differences. The straw that broke the camel’s back was the assassination of Ivan Stambolic.

⁶ <https://www.dw.com/en/trial-of-milosevics-successor-opens-in-the-hague/a-2085210> Publication date 10.07.2006.

⁷ <https://www.refworld.org/docid/3ae6aa6018.html> Publication date 30.01.1994.

BROJ GLASOVA



Source: Elections 2000

Name and surname	Total votes	Percent
1. Miodrag Vidojković	45.964	0,93
2. Dr. Vojislav Koštunica	2.470.304	50,24
3. Slobodan Milošević	1.826.799	37,15
4. Vojislav Mihailović	145.019	2,95
5. Tomislav Nikolić	289.013	5,88

Source: Elections 2000

Although Milosevic claimed that he was acting in accordance with the democracy, he was far from democracy. “The Organization for Security and Co-operation in Europe’s Office for Democratic Institutions and Human Rights (OSCE/ODIHR) was denied entry to conduct a technical assessment and subsequently deploy an election observation mission to monitor the 24 September federal and municipal elections in the Federal Republic of Yugoslavia... In particular, these elections fell far short of the minimum standards for transparent, accountable, secret, fair, and free elections. Under such circumstances, initial reports that the opposition presidential candidate Vojislav Kostunica was in the lead indicate a strong will for change. Moreover, the elections in Montenegro and Kosovo were conducted in an environment fraught with possibilities for manipulation... The electoral process in Kosovo and Montenegro was organized on an ad hoc basis without the basic environment required for a democratic vote. In Montenegro, the Government boycotted the elections and regarded the polls as illegitimate. It did not allow voting in public places in municipalities controlled by the Republic’s governing coalition and instructed the State-controlled media not to report on the campaign”.⁸

⁸ OSCE. (2000). Elections in the Federal Republic of Yugoslavia. OSCE, 1-8. <https://www.osce.org/files/f/documents/1/2/15184.pdf>

On the 5th of October Milosevic was ousted. The protest was known as the Bulldozer Revolution finally brought down Milosevic but not his legacy. The consequences of the Bulldozer Revolution were democratization, openness toward the rest of the world, and freedom of the press, but the politicians who gained power at that time failed to do the most important thing that was the lustration of political parties and politicians they stood against. Kostunica became president of Yugoslavia, while Zoran Djindjic became prime minister of Serbia. People have different opinions about them. Both of them were prominent members of the DOS-Democratic opposition of Serbia. In this coalition that brought Milosevic down, two political parties stood out from the rest, the DS party- Democratic Party led by Djindjic and DSS party- Democratic Party of Serbia led by Kostunica. According to Josselin Pérouse “When Koštunica took office, Milošević’s administration remained in place and the freshly elected President stood by them. On the other hand, Đinđić – who had become Prime Minister of Serbia not much later – sought the renewal of the whole administration, the military, the special forces, and the state media, arresting some of its members if necessary (Josselin Pérouse, 21.01.2019)”.⁹

One of the first moves Zoran Djindjic did was the extradition of Milosevic to the Hague Tribunal. Such a move has been used by remnants of the Milosevic regime that were closely working with Kostunica at that time to start a media war against Zoran Djindjic and label him as the puppet of the West. His policy did not fit the conservative part of Serbia. Prime Minister Zoran Djindjic was assassinated 12th of March 2003. Today “there are still some people willing to fight against the autocratic ways of the government and trying to bring the post Bulldozer Revolution ideas to life”.¹⁰

When the Federal Republic of Yugoslavia was transformed into a loose confederation of Serbia and Montenegro in the 2003 Kostunica resigned and was twice prime minister of Serbia. The president of Serbia became Boris Tadic. Reports suggest that during that period: “There are a number of the alternate center of power inside Serbia that are at least as powerful as the legitimate institutions of government. After maintaining a low profile in the first two years since Milosevic’s fall, they have begun to play an increasingly visible role in politics and society. They are largely focused around the State Security (DB) structures Milosevic created to help wage his wars and keep domestic order, as well as around counterparts associated with the Yugoslav Army (VJ) Counterintelligence Service (KOS)”.¹¹

⁹ Josselin Pérouse, W. S. (21.01.2019). My Country Europe. Retrieved from My Country Europe: <https://mycountryeurope.com/history/serbia-yugoslavia-vojislav-kostunica/>

¹⁰ Josselin Perouse, (17.10.2018). My Country Europe. Retrieved from My Country Europe: <https://mycountryeurope.com/history/bulldozer-revolution-milosevic/>

¹¹ Serbia after Djindjic, Balkans Report N°141 Belgrade/Brussels, <https://www.refworld.org/pdfid/3efdf1684.pdf>

Name and surname	Political party	Total votes	Percent
1. Ljiljana Arandžević	Jedinstvena Srbija	11.796	0,38
2. Vladan Batić	Demohrišćanska stranka Srbije	16.795	0,54
3. Ivica Dačić	SPS	125.952	4,04
4. Milovan Drecun	Politička partija Preporod Srbije	16.907	0,54
5. Dragan Đorđević	Stranka državljana Srbije	5.785	0,19
6. Branislav Brane Ivković	Socijalistička narodna stranka	13.980	0,45
7. Mirko Jović	"Narodna radikalna stranka", "Srbija i dijaspora" i "Evropski blok"	5.546	0,18
8. Jelisaveta Karađorđević	Grupa građana "Inicijativa za lepšu Srbiju"	62.737	2,01
9. Bogoljub Karić	Grupa građana	568.691	18,23
10. Dragan Maršićanin	Demokratska stranka Srbije,G17,SPO-NS	414.971	13,30
11. Zoran Milinković	Patriotska stranka dijaspore	5.442	0,17
12. Tomislav Nikolić	Srpska radikalna stranka	954.339	30,60
13. Borislav Pelević	Stranka srpskog jedinstva	14.317	0,46
14. Marijan Rističević	Narodna seljačka stranka	10.198	0,33
15. Boris Tadić	Demokratska stranka	853.584	27,37

Source: Presidential elections 2004 first-round

1. Boris Tadić	DS	1.681.528	53,24
2. Tomislav Nikolić	SRS	1.434.068	45,40

Source: Presidential elections Serbia 2004 second-round

Name and Surname	Political party	Total votes	Percent
1. Tomislav Nikolić	SRS	1.646.172	39,99
2. Jugoslav Dobričanin	Reformistička stranka	11.894	0,29
3. Boris Tadić	Demokratska stranka	1.457.030	35,39
4. Velimir Ilić	Nova Srbija	305.828	7,43
5. Ištvan Pastor	Mađarska koalicija	93.039	2,26
6. Marjan Rističević	NSS/USS	18.500	0,45
7. Čedomir Jovanović	LDP	219.689	5,34
8. Milutin Mrkonjić	SPP	245.889	5,97
9. Milanka Marić	PSS- Bogoljub Karić	40.332	0,98

Source: Presidential elections first-round 2008

1. Boris Tadić	2.304.467	50,31
2. Tomislav Nikolić	2.197.155	47,97

Source: Elections second-round

Boris Tadic as president of Serbia served from 2004 to 2008 and was reelected in 2008. "The first round, held on 13 June, was contested by fifteen candidates. The first two candidates, Tomislav Nikolic of the Serbian Radical Party (30.60 percent) and Boris Tadic of the Democratic Party (27.37 percent), passed through to the

second round on 27 June. The third place was taken by Bogoljub Karic, a wealthy media owner (18.23 percent), while the government candidate, Dragan Marsicanin came fourth (13.30 percent). Turnout in the first round was 47.75 percent. The second round was won by Mr. Tadic with 53.24 percent of the vote, against Mr. Nikolic's 45.40 percent, with 48.36 percent turnout".¹² Elections for the presidency this time took place in Kosovo, all candidates had access to media and there were no high tensions during the campaign.¹³

"Competition between DSS and DS eventually gave way to power-sharing and cohabitation, with Boris Tadic as president and Vojislav Kostunica as prime minister, since 2004"¹⁴ and that cooperation became visible during the draft of new Serbia constitution and Kosovo issues.

A new constitution was adopted in 2006. When it comes to monitoring of this process "The Venice Commission did not provide an impartial analysis of the constitution. The OSCE's Office for Democratic Institutions and Human Rights (ODIHR) did not organize a monitoring presence because it was not invited. In the end, the international community sent only a handful of observers. The Council of Europe Parliamentary Assembly sent seventeen, and the EU, sufficient to cover less than half of 1 percent of the 8,375 polling places. The Russian Duma also sent observers. The government used the presence of these foreign observers to claim that the vote was fair and regular".¹⁵

The international crisis group that was involved in the process of drafting a new constitution noticed that constitution has more negative consequences than positive.¹⁶ Also in their report, they suggested the following: "The constitution permits the parliament to restrict all the ostensibly guaranteed rights, opening the door for a dictator to come to power via the parliament; it places the courts – including the Constitutional Court – firmly under government control while turning the prosecutor's office into little more than a sub-branch of the executive. The parliament can constantly harass the president because a minority of deputies can initiate an impeachment procedure. Centralization is substantially increased, with the government able to dissolve and appoint municipal councils and mayors. In addition, the constitution is full of internal contradictions".¹⁷

¹² <https://www.osce.org/files/f/documents/8/c/37536.pdf>

¹³ Ibid.

¹⁴ Vladimir Matic, (2006). Where is Serbia Going ? Meeting Report 531 Clemson University, 1-8.

¹⁵ International Crisis Group (ICG), Serbia's New Constitution: Democracy Going Backwards, 8 November 2006, Briefing N°44, available at: <https://www.refworld.org/docid/4565ed404.html> [accessed 10 December 2021]

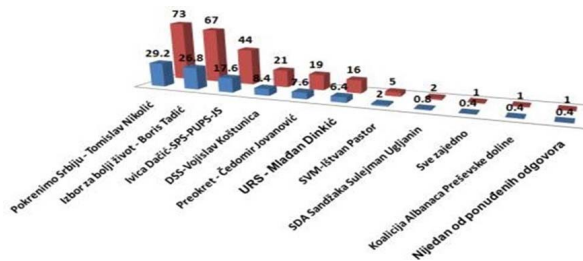
¹⁶ Ibid.

¹⁷ Ibid.

Whereas Milosevic's constitution defined Serbia as a civic state, Article 1 defines it as "a state of the Serbian people and all citizens who live in it", very much against the European trend of basing statehood on demos rather than ethnos. The constitution removes the freedom from parliamentary deputies to vote their conscience and makes party loyalty paramount. In the context of current practice, this means parties, rather than individual deputies, will control parliamentary mandates. Cyrillic is enshrined as the official alphabet; in the Milosevic document the Latin alphabet was also official, and both are in widespread use, with Latin preferred by most minorities, as well as by most Serbs for commercial purposes".¹⁸

Milorad Vucelic claimed that the newly adopted constitution "was a continuation of old"¹⁹ meaning that nothing has changed since the fall of Milosevic. The nature of this constitution is dependent "on the judges who interpret it and the politicians who control those judges and the police".²⁰ Nenad Canak wrote that Kosovo is a crucial element of the Serbian regime's strategy because there was no better way to ethnically homogenize Serbia, to legitimize that policy, and to eliminate any opposition to it than giving it the label "defense of Kosovo." Strongly backed by Kostunica, this policy became part of the new Constitution, and a "national consensus" on Kosovo was formed and maintained based on his concept. It has become a dogma that few dare to challenge".²¹ Tadic and Kostunica's reign was marked by the independence of Montenegro and Kosovo and the newly adopted constitution. In 2008 Kostunica resigned and his successor became Mirko Cvetkovic while Boris Tadic was reelected.

Parliamentary and early presidential elections took place in 2012. These elections in Serbia were seen as the contest between EU membership as Tadic promised and the promise made by Tomislav Nikolic that Serbia will continue to follow its European path.²²



Source: Elections

¹⁸ Ibid.

¹⁹ Ibid.

²⁰ Ibid.

²¹ Vladimir Matic, (2006). Where is Serbia Going? Meeting Report 531 Clemson University, 1-8.

²² <https://www.bbc.com/news/av/world-europe-18140947> Publication date 21.05.2012.



Source: Elections first-round

1. Tomislav Nikolić 1.552.063
2. Boris Tadić 1.481.952

Source: Second-round presidential elections

The consequences of these elections were “a new coalition government comprised of the Serbian Progressive Party (SNS), the Socialist Party of Serbia (SPS), and the United Regions of Serbia (URS), with SPS leader and former Slobodan Milošević spokesman Iвица Dačić as prime minister. The Democratic Party (DS), which had led the government for most of the previous decade, was relegated to the opposition, reflecting broad public dissatisfaction with its stewardship of the economy, anti-corruption efforts, and other governance issues. SNS leader Tomislav Nikolić also defeated incumbent and DS leader Boris Tadić in the presidential polls”.²³ During the reign of the newly established discrimination of Roma was increased: “Around 1,000 Roma were forcibly evicted in April from the Belvil settlement by the Belgrade City authorities. Almost half were returned to southern Serbia; many were made homeless. Some Roma returned to Niš had no running water or adequate sanitation until mid-July. Those registered in Belgrade were sent to segregated container settlements on the city’s outskirts where they could not find work. The European Commission agreed to fund solid housing for evicted Roma, but the city proposed that the housing be sited on isolated sites, creating racially segregated settlements. In November the Commissioner for Protection of Equality found that the Belgrade City authorities had discriminated against Roma by imposing rules and conditions in their contracts for the containers which were not applied to any other groups, and which resulted in the eviction of 11 families”.²⁴

When it comes to the rights of lesbian, gay, bisexual, transgender, and intersex people reports say “In September, a gay man was beaten with a meat-hammer

²³ Dragana Peco, *Nation in Transit*. Faculty of Political Science, University of Belgrade, 498-514.

²⁴ (2013). Amnesty International Annual Report Serbia.

by youths in a homophobic attack in Belgrade. In October, the Prime Minister banned the Belgrade Pride for the second year running based on unspecified security threats. In November, the Appeal Court revoked the conviction and ordered the retrial of Mladen Obradović, leader of the right-wing organization “Obraz”, who had been sentenced in March to 10 months’ imprisonment for inciting discrimination against the 2009 Belgrade Pride”.²⁵

The rights of the refugees and migrants were denied during this period. Reports noticed that “The government took further measures to intensify border controls which denied people, predominantly Roma, the right to leave the country. Between January and October, 15,135 Serbian citizens, mostly Roma, claimed asylum in the EU. In October, six EU member states urged the European Council to consider measures to reduce their number. Austria and Switzerland introduced an accelerated determination procedure for Serbian asylum-seekers. More than 1,700 individuals, including unaccompanied minors, sought asylum in Serbia. None was granted asylum in a process that failed to provide a fair assessment of individual protection needs. In September, more than 100 asylum-seekers camped outside the Bogovađa asylum center in the absence of any other accommodation”.²⁶ Newly elected president of Serbia Tomislav Nikolic continued the practice of Boris Tadic by claiming that genocide did not happen in Srebrenica.

The early parliamentary election took place in 2014. Elections happened two years early “after Aleksander Vucic asked for the organization of a new election to confirm public opinion’s support for the reforms. He indicated that Prime Minister Ivica Dacic “had not done a bad job” but that “things now had to gather pace”.²⁷

General Election Results of 16th March 2014 in Serbia

Turnout: 53%		
Political Parties	% of votes won	No of seats won
Progressive Party (SNS)	48.80	157
Socialist Party (SPS)	14	45
Democratic Party (DS)	5.90	19
New Democratic Party (NDS)	5.70	18
Parties representing the minorities	4.20	11

Source: Elections 2014.

According to reports made by OSCE “Although fundamental freedoms were respected throughout the campaign, credible reports about cases of intimidation of

²⁵ Ibid.

²⁶ Ibid.

²⁷ <https://www.robert-schuman.eu/en/eem/1486-aleksander-vucic-s-progressive-party-almost-achieves-an-absolute-majority-in-the-general-elections-in-serbia> 18.03.2014

voters overshadowed the campaign environment. All levels of the election administration operated efficiently, acted within legal deadlines, and passed decisions in a collegial manner. Despite considerable efforts made, the voter register requires further improvement. There was a lack of critical and analytical reporting on the campaign in the media. Existing pluralism of opinion and independence of journalists were jeopardized by the influence exerted on media by the political parties in power”.²⁸ Aleksandar Vucic as a candidate of Progressive Party became head of government. “Serbia’s leading political party, the Progressive Party has achieved its goal of spreading its influence in this election.” I want Serbia to continue its fight to counter corruption, for it to work towards growing its economy and for it to create jobs and to do what it needs in terms of painful structural reform,” declared Aleksander Vucic. He announced the adoption of 21 reforms between 15th April and 30th June before the summer break,” and promised “a difficult time and a great deal of work but by the end of the year, we should be seeing the light at the end of the tunnel”.²⁹

After the consolidation of new government reports noticed discrimination and hate crimes. “Roma organizations initiated a draft law on the legalization of informal Roma settlements. Roma settlements were disproportionately affected by flooding in May, and 31 Roma (including 12 children), were denied access to an emergency reception center in Belgrade and rehoused in a wartime shelter, without water or sanitation... Threats and attacks against LGBTI rights defenders and organizations, including the Gay-Straight Alliance, were not effectively investigated, and the hate motive was seldom recognized, and provisions for increased sentencing in cases of hate crime were rarely invoked. In March, a police anti-terrorist spokesperson urged football fans online to attack a vigil by the NGO Women in Black, marking the anniversary of the Kosovo war. Prosecutors charged him with making threats to security, rather than with gender-based discrimination, so the hate motivation was not considered. In July, four members of the group were attacked and injured in Valjevo. In October, after a drone bearing the symbol of Greater Albania was flown over a Serbia-Albania football match in Belgrade, at least 33 properties owned by Albanians were attacked, mainly in Vojvodina”.³⁰

Other parliamentary elections in Serbia were held in 2016, although elections were scheduled in 2018. According to Tena Prelec “It is reasonable to believe that this constituted a further reason for Vučić to throw his hat in the ring in the hope that

²⁸ OSCE. (2014). Republic of Serbia Early Parliamentary Elections 2014. <https://www.osce.org/odihr/elections/serbia/118968>

²⁹ <https://www.robert-schuman.eu/en/eem/1486-aleksander-vucic-s-progressive-party-almost-achieves-an-absolute-majority-in-the-general-elections-in-serbia> 18.03.2014

³⁰ Amnesty International Report 2014/15 - Serbia. Amnesty International. <https://www.refworld.org/docid/54f07da115.html>

his name on the lists will help the local branches of the party to gain better results... As the final results finally came in, after a long and heavily criticized delay by the central electoral committee, it became clear that the forecasts tipped Vučić's Serbian Progressive Party (SNS) at over 50 percent of the vote was not justified. The final count has now settled at 48.2 percent, a figure inferior to the 49.3 percent achieved by the ruling party in 2014. The SNS will thus end up losing 27 seats in parliament, despite having this time joined forces with several minor parties".³¹

Party	Vote share	Seats	Change in seats
Serbian Progressive Party (SNS)	48.2	131	-27
Socialist Party of Serbia (SPS)	12.0	29	-15
Serbian Radical Party (SRS)	8.1	22	22
Democratic Party (DS)	6.0	16	-3
It's Enough Movement (DJB)	6.0	16	16
Coalition for a Better Serbia (SDS/LDP/LSV)	5.0	13	-5
DSS - Dveri	5.0	13	13
Others	10.0	10	-1

Source: Elections 2016.

According to OSCE reports early parliamentary elections that were held in 2016 "The 24 April 2016 early parliamentary elections offered voters a variety of choices. While the election administration performed its duties efficiently and generally enjoyed the trust of the electoral stakeholders, it's handling of post-election complaints and processing of results raised concerns. Fundamental freedoms were respected, but biased media coverage, undue advantage of incumbency and a blurring of the distinction between state and party activities unlevelled the playing field for contestants".³²

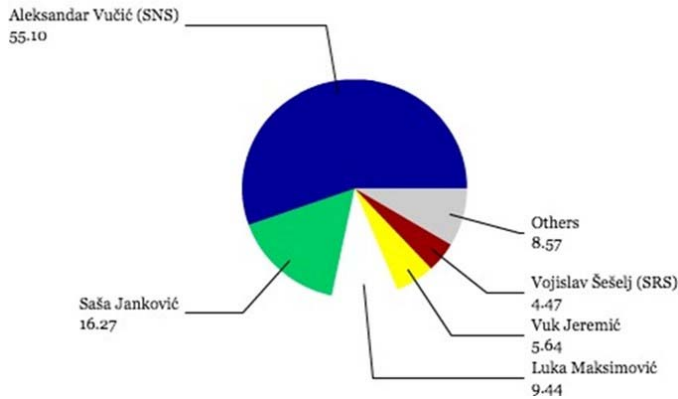
According to the reports made by Amnesty International in 2017 "Pro-government media continued to smear independent journalists and human rights defenders, as well as the Ombudsperson's Office. Prosecutions of crimes under international law committed during the armed conflict in the 1990s remained stalled. Several forced evictions took place in Belgrade. Refugees and migrants stranded in Serbia on their way to the EU lacked access to protection and essential services. Roma, Ashkali, and Egyptian communities continued to suffer institutional discrimination, in particular in accessing sustainable solutions for housing and employment, as internally displaced persons".³³

³¹ Tena Prelec (2016), Serbian parliamentary election 2016: A gamble that almost backfired. London School of Economics and Political science. <https://blogs.lse.ac.uk/europpblog/2016/04/26/serbian-parliamentary-election-2016-a-gamble-that-almost-backfired/>

³² OSCE.(2016). Republic of Serbia Early Parliamentary elections <https://www.osce.org/odihr/elections/serbia/256926>

³³ Amnesty International report 2016/17 Serbia. <https://www.refworld.org/docid/58b033b8a.html>

Serbia: April 2017 Presidential Election



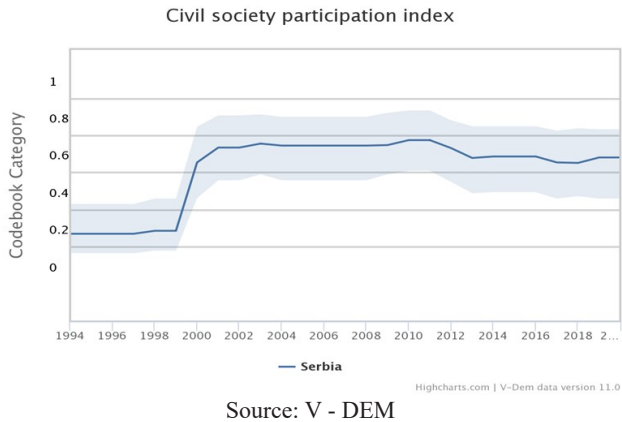
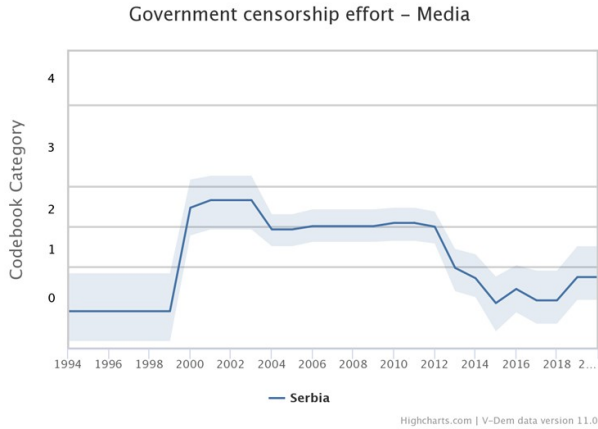
Source: Elections 2017.

On April 2 Serbia held presidential elections. Prime Minister Aleksandar Vucic was seen as the greatest favorite against opposition in disharmony. “Serbian Prime Minister Aleksandar Vucic has won 54.9 percent of the vote on April 2’s presidential election, securing a five-year term as Serbia’s president, according to the Centre for Transparency, Research and Accountability (Rudic, 2017)”.³⁴ Aleksandar Vucic victory in presidential elections strengthened him and allowed the Progressive Party to consolidate power across Serbia. According to the OSCE reports “The presidential election provided voters with a genuine choice of contestants, who were able to campaign freely. However, the campaign was dominated by the candidate from the governing coalition, and concurrent prime minister, who benefited from the effectively blurred distinction between campaign and official activities. Unbalanced media coverage and credible allegations of pressure on voters and employees of state-affiliated structures and misuse of administrative resources tilted the playing field. Regulatory and oversight mechanisms were not effectively utilized to safeguard the fairness of competition”.³⁵

³⁴ Filip Rudić, Vucic wins Serbian Presidential Elections. <https://balkaninsight.com/2017/04/02/vucic-wins-serbian-presidential-elections-04-02-2017-1/>

³⁵ OSCE. (2017). Republic of Serbia Presidential Election, <https://www.osce.org/odihr/elections/serbia/322166>

3. ANALYZE OF CIVIL SOCIETY AND MEDIA



In this part of the paper, we shall analyze civil society during the Milosevic era and in the post-Milosevic era. The main objective in this part of the paper is to see to which extent civil society has been present during Milosevic and after. Civil society and democracy are inherent. “Democracy is a form of governing a modern state. Thus, modern democracy is not possible without state”.³⁶ To have developed a democracy one society needs to have a free and active society. “There is no civil society without previous, or at least parallel emancipation of a vassal into a self-confident and responsible citizen, sensitive to the usurpation of his rights, but also ready to fulfill his civil obligations. A corpus of accepted and exercised rights and

³⁶ Juan José Linz, Alfred Stepan, *Demokratska tranzicija i konsolidacija: Južna Evropa, Južna Amerika i post-komunistička Evropa*, Filip Višnjić, Beograd, 1998, p. 32.

obligations clearly distinguishes citizens from vassals, or arrogant, primitive or infantile persons unprepared to accept responsibility and self-care”.³⁷ In the case of young and newly established democracy we should know that “a vibrant civil society is probably more essential for consolidating and maintaining democracy than for initiating it (Diamond, 1994, p. 7)”.³⁸ When we mention civil society we should bear in mind following things: “citizens as persons, individuals; associations of citizens, social movements and civil institutions; and the public”.³⁹

According to Denisa Kostovicova, civil society in Serbia was suppressed by Milosevic and had no chance to develop fully during his reign but the same problem occurred when Milosevic was ousted because a huge number of NGOs emerged with illiberal and non-democratic agendas.⁴⁰ In such circumstances, democratic civil society had to fight with non-democratic forces from state and civil society.⁴¹ Serbian society shows us that “Neither does the development of civil society necessarily advance democracy by strengthening the state nor is civil society necessarily a democratic space”.⁴²

Civil societies in Eastern Europe played an important role in the establishment of democracy and the emancipation of society. Such practice has not been applied in Serbia because Milosevic recognized the importance of civil society and created civil societies that would fit his policy. The same thing happened with media who were reporting in accordance with Milosevic wishes. In 2011 Serbian TV stations apologized for their reports and statements during the 1990s to neighboring countries and viewers.⁴³ During Milosevic’s reign polarization occurred and two worlds existed but liberal activities and programs were in minorities.

Civil societies and media with liberal activities and programs have been organized around groups such as Anti-War Action, the Helsinki Committee for Human Rights in Serbia, the Fund for Humanitarian Law, Women in Black, the Belgrade Centre for Human Rights, Radio B92... while Milosevic became advocator of Serbian nationalism and was accompanied by Writers’ Association, intellectual institutions,

³⁷ Zoran Stojiljković, (2007) „Civilno društvo i konsolidovanje demokratije“. In: Paunović, Ž. (ed.) *Budućnost civilnog društva u Srbiji*, Beograd: Milenijum, Centar za razvoj građanskog društva, str. 24

³⁸ Larry Diamond, *Rethinking Civil Society: Toward Democratic Consolidation* (Journal of democracy), p. 4-17.

³⁹ Vukašin Pavlović, *Civilno društvo i demokratija*, Službeni glasnik, Beograd, 2006, p. 58.

⁴⁰ Denisa Kostovicova, *Civil Society and Post-Communist Democratization: Facing a Double Challenge in Post- Milosevic Serbia*. Journal of Civil Society, p. 21-37.

⁴¹ Ibid.

⁴² Ibid.

⁴³ Serbia state TV apologizes for Milosevic-era propaganda, The Guardian, Publication date 24. 05. 2011, <https://www.theguardian.com/world/2011/may/24/serbia-state-tv-apologises-propaganda>

media and other organizations who claimed that through their activities, they wanted to cherish Orthodoxy and save customs and traditions of the Serbian people.⁴⁴ After the overthrow of Milosevic Serbia experienced a transition to democracy and economic, political and cultural liberalization but Serbia failed to distance itself from the nationalist policy. “The liberal civil society in post-Milosevic Serbia has been stretched thin. It engaged in the battle against state nationalism but also against the nationalism emanating from civil society. Its preoccupation with the ideological dimension of the state and the society detracted from its capacity to engage with the state on the issue of governance”.⁴⁵ “The activism of illiberal groups has transformed the civil society landscape in Serbia. After Milosevic’s downfall, the non-state sphere has become host to illiberal ideologies, including anti-Semitism, exclusive nationalism, xenophobia, and racism... However, these groups have also provided a platform for ‘new’ Serbian nationalism”.⁴⁶ In today’s Serbia, there are some indicators that Serbia is returning to dictatorship. If we want to make a parallel between today’s government in Serbia and the government during Milosevic’s reign, we shall find many connections. Vucic and his party and coalition served as ministers in the Milosevic government. The period in which Aleksandar Vucic served as a Minister of information was described as a time in which “anybody could be sued for anything”.⁴⁷ Several independent media, TV and radio station, were shut down, journalists were disturbed and Slavko Curuvija was assassinated.⁴⁸

Freedom in the World aggregate score
(100 = most free)



Press Freedom Index
(ranking out of 180 countries)



⁴⁴ Denisa Kostovicova, *Civil Society and Post-Communist Democratization*, p. 21-37.

⁴⁵ *Ibid.*

⁴⁶ *Ibid.*

⁴⁷ Srđan Mladenov Jovanović, *Confronting Recent History: Media in Serbia During Aleksandar Vucic Ministry of Information in the Milosevic era 1998-1999*. Research gate, 62-74.

⁴⁸ *Ibid.*

In research that has been done by Aleks Error “The Serbian government may not be a dictatorship, but it isn’t a proper democracy either. In 2018, Reporters without Borders ranked Serbia lower than any other country in the Western Balkans in its annual World Press Freedom Index. Tycoons loyal to the government control the overwhelming majority of private media companies, undermining their impartiality. The few remaining independent media outlets in the country, meanwhile, are regularly smeared by government officials and subjected to myriad other pressures. According to Zarko Korac, a professor of psychology at the University of Belgrade and a former Democratic Party figurehead who served as deputy prime minister between 2001 and 2004, the media landscape in Serbia is damaging the country’s democracy”.⁴⁹

In the briefing that has been done by European Parliament, Serbia faces several problems from anti- and pro-government rallies spread across Serbia, media freedom in decline, media ownership concentration resulting in pro-government bias, inadequate implementation of media legislation, and civil society under attack (Parliament, 2019, pp. 2-4. 7). In case of anti-and progovernment rallies spread across Serbia: “On 23 November 2018, Serbian Left Party leader, Borko Stefanović, and two other opposition activists were beaten up when arriving at a political meeting in the city of Kruševac. Stefanović was quick to accuse the country’s ruling Serbian Progressive Party (SNS) and its leader, President Aleksandar Vučić. The government denied being behind the attack, blaming local criminals two of whom were arrested soon afterward. However, fellow opposition politician, Dragan Đilas, rallied to Stefanović’s support, arguing that Vučić was at least indirectly responsible for the violence due to his verbal attacks on the opposition, which have created a ‘gruesome atmosphere’. The incident sparked mass protests in Belgrade on a scale not seen since Slobodan Milošević’s 2000 downfall. Every Saturday since 8 December, tens of thousands have taken to the streets in Belgrade and other Serbian cities. After three months, the demonstrations, dubbed ‘one in five million’ after a dismissive comment by Vučić that he would not listen to protestors’ demands even if five million were to join them, show no sign of running out of momentum. Among other things, protestors accuse Serbia’s government of autocratic rule, intimidation of the opposition and independent media, election rigging and corruption. In response, in February 2019 Vučić announced that he could consider bringing forward parliamentary elections, which are scheduled for April 2020, but opposition leaders argued that the conditions for a free and fair vote were not yet in place.

⁴⁹ Aleks Error, Two decades after the fall of Milosevic, Dictatorship is returning to Serbia, Publication date 14.05.2019 <https://www.worldpoliticsreview.com/articles/27847/two-decades-after-the-fall-of-milosevic-dictatorship-is-returning-to-serbia>

He also launched a ‘Future of Serbia’ campaign, in which he will personally visit 29 Serbian districts to present his achievements”.⁵⁰

When it comes to media freedom and media ownership concentration that results in pro government bias it says that: “According to Reporters without Borders, Serbia is no longer a safe country for journalists. Although there are no recent cases of journalists being killed in the line of duty, seven were physically attacked in 2018 and 23 received verbal threats. The house of one reporter investigating local corruption burned down, while another received death threats. Although the police claim they are doing their best to tackle the problem, they are often reluctant to investigate, and only in a few cases have perpetrators been brought to justice... Despite a target set in 2011 for the state to withdraw from the media by 2015, some of the most important outlets – such as public broadcaster RTS, whose RTS1 channel is the most - watched electronic media outlet in Serbia, and news agency Tanjug – remain in state hands. Others, such as those controlled by the Novosti group, have been only partially privatized, leaving the state with a substantial stake. Still others have been bought up by businessmen close to Serbia’s ruling SNS party. Such control often results in biased coverage. For example, in the 2017 presidential elections, national channels gave then-prime minister and presidential candidate Vučić 10 times more air time than all the other candidates combined. A similar bias was apparent in coverage of recent protests; infuriated by the refusal of the state broadcaster to present their point of view, demonstrators stormed the RTS building in March 2019. Many private broadcasters – such as TV Pink, which has the second - largest audience share after RTS – are overtly pro-government. With only a few exceptions, such as”.⁵¹ In case of inadequate implementation of media legislation: “Following the country’s 2011 media strategy, new laws inspired in part by EU directives defined standards for the media and established mechanisms to enforce them, including a Regulatory Authority for Electronic Media (REM). However, critics claim that this body is not sufficiently pro-active and that it rarely imposes serious penalties, for example, in response to complaints of pro-SNS/ Vučić media bias in coverage of the 2016 and 2017 elections. Parliamentary interference in the appointment of its governing council and a lack of control over its financial resources have curtailed its independence from the government”.⁵² This report from European Parliament dedicated one part to civil society and claims that civil society is under the attack, although Serbia has a vital civil society. According to this report: “Serbia has a vibrant civil society. As of April 2019, there were over

⁵⁰ Serbia at risk of authoritarianism? [https://www.europarl.europa.eu/RegData/etudes/BRIE/2019/637944/EPRS_BRI\(2019\)637944_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2019/637944/EPRS_BRI(2019)637944_EN.pdf)

⁵¹ Ibid.

⁵² Ibid.

32 000 registered associations, a number that is growing by around 1 500 a year. There is a strong culture of grassroots protests – examples include not only the current ‘one in five million’ anti-Vučić demonstrations, but also a ‘Let’s Not Let Belgrade Drown’ campaign contesting a waterfront development plan in Belgrade, ‘Mums Rule’ marches protesting cuts in child benefits, and a rally against corrupt local politicians in the town of Požega. Despite this, many conditions in Serbia are not favorable to civil-society activism. One problem is the lack of an adequate legal framework. A national strategy for civil society development has been stuck in the pipeline for several years, with most posts on the strategy’s website dating from no later than 2015”.⁵³

4. CONCLUSION

When Socialist Yugoslavia broke up Serbia became an example of accelerated history and the situation has not changed so far. Milosevic era has been characterized by permanent fear, instability, and state interference. In that circumstances, there was no chance to develop fully democracy and elements which are inherent with democracy. After the overthrow of Milosevic Serbia experienced transition and liberalization. At that time future for Serbia was promising. This promising future was prevented because lustration did not take place in Serbia. It does not make sense to expect changes with people who had been preventing Serbia to move toward a brighter future. The secession of Montenegro and Kosovo has been used to justify nationalism and bring the country back into the time of Milosevic. In the post-Milosevic era and especially from 2012 when the Progressive party occurred as the leading political party in Serbia it seems that Serbia in some segments resembles the 1990s. Discrimination of minorities and violation of human rights are still present in Serbia. The most influential political parties try to have an impact on media and civil society. Attempts to control media and civil societies show that democracy in Serbia is going backward. Continuation of nationalist policy toward neighboring countries and failure to distance from nationalist policy and rhetoric is not good practice for a country that has aspiration toward European Union. In the case of Serbia on the scene is defective democracy for several reasons. The influence of interest groups on media, centralization of power, discrimination of minorities, violation of human rights, political rights is evidence that democracy did not develop in full capacity. Serbia has found itself in a vicious cycle.

⁵³ Ibid.

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