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# **The Business of State Capture and the Rise of Authoritarianism in Kosovo, Macedonia, Montenegro and Serbia\***

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## **Abstract**

This paper will discuss the rise of authoritarian tendencies in the political systems of Kosovo, Macedonia, Montenegro and Serbia. In all four countries, certain parties and political elites have become entrenched in the political system, and have been able to enhance their grip on power, often beyond, and in some cases through, constitutional frameworks. It will discuss how forms of state capture have enabled political elites to position themselves in a situation in which they not only control the political decision-making institutions, but also exercise excessive influence on the economic and social systems of these systems in transitional states. By extending their networks of patronage, limiting political access for opponents, and holding strong control over media and the judiciary, these elites have been able to develop semi-authoritarian systems, which utilise democratic elections to confirm their long-term dominance, veiling them in a veneer of legitimacy. This rise of electoral authoritarianism – and in turn illiberal democracy - is not only linked to the political actions of certain parties and elites, but also results from the political, social and economic changes that the countries under investigation have faced in recent years. What is more, the so-called transformative power of EU integration has failed to hinder or deter the rise of these new authoritarian regimes.

The paper will progress in three main steps: In the first part, a theoretical framework will be introduced, by focusing on theories of democratization and authoritarian back-sliding. In the second part, the four countries under investigation will be discussed in more detail, to highlight why there has been an increase in authoritarian practices across these four countries. This section will also discuss how these authoritarian tendencies play out in practice and how they have been undermining the consolidation of liberal democracy. Finally, in the conclusion it will be discussed what the European Union (EU) and other actors could do in order to support those forces that focus on democratic governance in these countries, and make the accession process truly transformative.

Key words: Authoritarianism, Democratization, Kosovo, Macedonia, Montenegro, Serbia

## Introduction

There has been an increasing debate about democratic back-sliding, particularly in Eastern Europe, but also in other parts of the world (Dawson and Hanley 2016; Segert 2015; Krastev 2016; Diamond 2015; Greskovits 2015; Plattner 2015). While opinion is still divided between those arguing that there has been a genuine democratic recession worldwide (Diamond 2015), and those questioning this (Levitsky and Way 2015), there is nevertheless a consensus that democracy as a whole has been performing poorly and faces numerous obstacles in a large number of countries (Fukuyama 2015).

The focus on Central and Eastern Europe in these debates is surprising, in light of the number of countries in this area that have joined the European Union (EU). What is more, their democratization after the end of communism, was seen as a success story compared to other parts in the world such as Russia, Central Asia and many parts of Africa and Asia (Mungiu-Pippidi 2015; Lewis 2001; Linz and Stepan 1996). Yet, more recently, there has been a recognition that both back-sliding and hollowing out of democracy have become key features in a number of countries in Eastern Europe, most notably Hungary and Poland (Greskovits 2015). These issues are often mixed with processes of state capture,<sup>1</sup> and in parallel with specific and targeted illiberal actions against key institutions (Innes 2014; Kelemen and Orenstein 2016).

Following on from the debate about democratic back-sliding in Eastern Europe, this paper will focus on four Southeastern European countries, namely Kosovo, Macedonia, Montenegro and Serbia. All four countries have witnessed similar developments to those in Hungary and Poland, with the rise of strong leaders, who have focused on re-building the political system so that it suits their – and their party's - interests. These processes have been accompanied with the use of numerous illiberal measures, authoritarian methods and direct attacks on fundamental democratic and liberal principles. Yet, while there has been a strong focus on Poland and Hungary in the academic literature, developments in Southeastern Europe have been less prominent. This paper aims at shedding light on the developments in these four countries. In doing so, the first part of the paper introduces democratization theory and briefly describes the developments in these countries since the early 1990s. Next, the rise of authoritarian tendencies in Southeastern Europe is discussed, together with how these regimes have used authoritarian and distinctly illiberal methods to establish and manifest their grip on power. Finally, in the Conclusion it will be highlighted how the democratic recession in Southeastern Europe could be stopped and what role external actors such as the EU could play.

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<sup>1</sup> State capture is defined in this paper similar to the definition used in the other papers in this special issue. It refers to efforts by either groups or individuals in the public and private sectors to influence, manipulate and shape laws, policies, regulations, decrees and other government policies to their advantage. This can take place for the private gain of individuals (often through corruption) but it can also occur on a wider scale in which actors take control over large parts of the institutional set-up in order to push a certain policy agenda and promote their own interests (see Hellman, Jones and Kaufmann 2000).

## **Democratization, Transition, and Political and Economic Transformation**

Traditionally, democratization refers to the process of regime change, from an authoritarian or totalitarian regime towards a more inclusive democratic regime based on free, fair and competitive elections (Linz and Stepan 1996, Diamond 1999, Teorell 2010). These transitions have taken place at different periods in the last 150 years, and Samuel Huntington's (1991) research has demonstrated that democratization occurs in 'waves'. Most recently, the third wave of democratization started in the 1970s and 1980s in Southern Europe and Latin America, and covered most of Eastern Europe, Russia and Central Asia after 1989 because of the breakdown of Communist rule and the Soviet Union. The concept of democratization is thereby multi-faceted, and has been analysed from different perspectives. Pridham and Lewis (1996) for example, focus on the role of political parties in the democratization process, while Burnell and Calvert (2004) concentrate on the role of civil society. Other perspectives include the role of external actors (Wolff et.al 2014), the importance of the previous regime (Linz and Stepan 1996), and the focus on building effective political institutions such as the rule of law and a robust separation of powers (Fukuyama 2014).

In addition to its multifaceted nature, democratization is often connected to other societal transformations. These can include economic transitions from state-owned and state-controlled economic systems to a free-market model, economic re-building after prolonged periods of internal conflict and mismanagement, and social welfare transformations. Additionally, these transformations can have a profound social impact and dimension, including the arrest and prosecution of members of the old regime, increasing unemployment, the establishment of a new economic and political elite and the potential for an increase in societal conflict and violence as a result of new distribution challenges. Claus Offe (1997; 2003) has examined these overlapping transitions, with a special focus on Eastern Europe, and came to the conclusion that the combination of political, social and economic transformation is a particular challenge for countries. He furthermore argues that new democratic forms of decision-making will be difficult to consolidate in an environment of economic hardship and mistrust in any institutions. Hence, the design of political institutions, the interplay of political and economic transformation, and the preservation of a functional social welfare system are key challenges for countries undergoing democratization processes.

In light of this, it should come as no surprise that these processes and developments are not linear; some countries have been able to establish functional democracies relatively smoothly, while others have struggled to cope with these overlapping transformations, and their transition has been more complex and challenging. When comparing the developments in parts of Eastern Europe, for example, there is a clear distinction between those countries who were part of the Soviet Union and those that were not. The exceptions here, of course, are the Baltic States, that despite their membership in the Soviet Union, managed to transform into functional democracies relatively smoothly. Yet, when comparing the transition in Poland with Ukraine, or Slovakia's transition with the one of Moldova, it

becomes obvious that there are substantial differences. One key explanatory factor for this development is the conditionality and so-called transformative power of the EU (Pridham 2010, Schimmelfennig and Sedelmeier 2005). Yet, as the more recent developments in Hungary and Poland have highlighted, democratization that has been supported during the process of EU integration might not result in consolidated democracies and can indeed be reversed even when these states are EU Member States (for Hungary see Agh 2015, for Poland see Kelemen and Orenstein 2016). In fact, there are growing academic debates that question the nature of democratization in these countries (Hanley and Dawson 2017), which raises important questions not only for the future of democratic governance in future EU Member States but also in countries that have already joined.

When analyzing the democratization processes in Southeastern Europe, a number of additional points need to be raised. First, in addition to the complex mix of political, economic and social transformations, the countries of the former Yugoslavia underwent two further transformations. First, as a result of the break-up of Yugoslavia, these countries became independent. In some cases, such as Macedonia and Bosnia (later also Kosovo), these countries became independent states for the first time in modern history, while others (Serbia, Croatia, Montenegro) could look back at periods of independent statehood in the recent past, although these often had little or no resemblance to the political entities that became independent after the dissolution of Yugoslavia (Lampe 2000, 365-414; Glenny 2012, 634-706). Second, most of the post-Yugoslav states were born out of war, i.e. their claim to independent statehood and their path to democratic governance was hindered and interrupted by violent engagement with secessionist groupings and neighbouring countries. Slovenia's 10-day war and Macedonia's peaceful independence are the exception (neither country having significant Serb populations for Belgrade to "protect"), while Croatia and Bosnia witnessed large-scale fighting between 1991 and 1995, Kosovo saw increasing violence since 1998 and violent unrest between Albanian rebels and Macedonian security services broke out in 2000. These conflicts resulted in extensive international intervention, first under the leadership of the United Nations (UN) and after 1995 under the leadership of NATO and the USA. The path to independence and democratization was therefore particularly difficult for most of the post-Yugoslav states, and it should come as no surprise that democratization was severely affected by the effects of state-building and post-war reconstruction (for Croatia see Tanner 2010, for Bosnia see Keil and Perry 2015, for Macedonia see Daskalovski 2006, for Kosovo see Hehir 2010, for Montenegro see Morrison 2010, for Serbia see Dawson 2014).<sup>2</sup> Most of the post-Yugoslav states struggled to establish functional democracies. In Croatia and Serbia, semi-authoritarian regimes under strong dominance by the Presidents (Tuđman in Croatia and Milošević in Serbia) were established during the wars in the early 1990s and continued after the end

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<sup>2</sup> For the developments in Kosovo and the link between international state-building and state capture, see also Joseph Coelho's contribution in this special issue.

of direct violence (Ottaway 2003, Keil and Arkan 2015). The processes of building new states, establishing functional government and administrative services, and establishing the monopoly of power throughout the territory were controlled by a group of elites, who were either nationalists (Croatia, Bosnia, Macedonia, Slovenia, Kosovo) or they were former Communists, who had turned towards nationalism as their new framework ideology (Serbia and Montenegro). Their participation in the various conflicts in the post-Yugoslav states provided them with strong influence over the new state structures. These included control over military and security services, a distinct advantage in the design of and appointment to the civil service, the judiciary and other key administrative bodies, and control over budget resources (including state owned enterprises) that enabled them to establish and manifest a strong grip on power. As Džankić and Keil (2017) have pointed out in the case of Montenegro, the link between control over the war economy and the black market, the power over the process of economic liberalisation and privatisation, and the possibility to build and staff key governmental and administrative institutions help to explain the ruling Montenegrin party's (Demokratska Partija Socijalista Crne Gore, DPS) ability to stay in power since 1997. Similar developments in terms of control over the economy and the institutional architecture can be observed in Milošević's Serbia and Tuđman's Croatia. In Bosnia, the leaders of the three main nationalist parties, SDA (Stranka demokratske akcije), HDZ BiH (Hrvatska demokratska zajednica Bosne i Hercegovine) and SDS (Srpska Demokratska Stranka) were each able to establish control in the territory which they controlled after the country was divided into different influence zones among Bosniaks, Croats and Serbs (Keil 2013a).

A key watershed moment in the post-Yugoslav area was the year 2000, with new governments coming to power in Croatia, Bosnia and Serbia (Stojarova 2010). Many observers argued that this was the chance for a new beginning in the region and that this would start a wider process of democratic consolidation, economic stabilisation and eventual EU integration (ICG 2002; Cohen and Lampe 2011; ICG 1998; ICG 2001). Yet, in light of the developments in recent years, it has become obvious that with the exception of Croatia, there has not been any large-scale democratization and transformation in the post-Yugoslav states. Instead, the political and economic situation in the region has worsened, partly because of the financial crisis that arrived in the region in 2010/11, and partly because the EU's enlargement process has been unable to support democratic transition as it has done in Eastern Europe (Keil 2012). While the EU has become the most important actor in the Western Balkans, it, too has failed to ensure democratic progress and state consolidation (Keil 2013b) What has been observed instead, is the rise of a number of semi-authoritarian regimes with strong elites, who have taken several countries in the region hostage and have seemingly entrenched themselves into the system. The following section will discuss this state capture in more detail.

## **State Capture and the Rise of Authoritarian Tendencies**

As discussed in the previous section, more recently there has been a tendency towards authoritarian practices in many post-Yugoslav states. In the four countries under discussion, this has played out in the following way: In Serbia, Prime Minister Aleksandar Vučić re-entered the political scene in 2012, after playing an important role in the Milošević regime, in which he was also directly involved in the conflicts in Croatia, Bosnia and Kosovo. As a leader of the conservative, pro-EU Serbian Progressive Party (Srpska napredna stranka, SNS), he has been prime minister since 2014.<sup>3</sup> Since coming to power, some have argued that he has established a regime in which he has become the centrepiece of a small network of close allies that control key institutions, influence the media and work closely with senior business leaders (Link 2015). While Vučić has been very prominent amongst European leaders, who want to see him as a cornerstone of stability and peace in the region, he nevertheless has established full control over the legislative (including frequently organising elections), has attacked critical media as traitors and Western conspirators, and has aligned himself closely with Vladimir Putin's Russia. In 2017, Vučić announced his intention to stand as the SNS candidate in the elections for President, which he won in the first round with more than 50 per cent of the vote, sparking widespread protests in Belgrade and across other parts of Serbia (Zivanovic 2017).

In Macedonia, Nikola Gruevski became prime minister in 2006 and left the office in January 2016 under internal and international pressure, after a series of recordings were published, that accused his party VMRO-DPMNE (Internal Macedonian Revolutionary Organization – Democratic Party for Macedonian National Unity) and his close associates of conspiracy, political murder, illegal tape-wiring, and electoral fraud (ICG 2015). Gruevski, too, has been accused of ruling in an authoritarian style, controlling the legislature, influencing court decisions, appointing party members and allies to key administrative positions and mismanaging public money (Taleski 2015). As a result of Gruevski's resignation and international pressure, new elections were held in Macedonia in December 2016, which confirmed VMRO-DPMNE as the strongest party, but they have since been unable to form a coalition government – this has further resulted in tensions between supporters of the party and protesters supporting opposition parties.

In Montenegro, the DPS has been in power since the country's transition from Communist rule (and even before that, as the DPS is the successor to the League of Communists of Montenegro). In 1997 the party split, and Milo Đukanović rose to become the most dominant politician in the country. He served as President and multiple-times as prime minister, and remained a key figure in political life even when he tried to retire from politics (Morrison 2009). The DPS and Đukanović himself have been the most resilient of the persistent elites in the post-Yugoslav states, not only surviving the wars

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<sup>3</sup> The SNS formed in 2008, after a number of leading figures split from the Serbian Radical Party (Srpska radikalna stranka, SRS) over the party's stance towards Serbia's integration into the EU.

of Yugoslav dissolution, but also the independence of Montenegro and its increased progress towards membership in the EU and NATO. Yet, both the DPS and Đukanović have been accused of illegal and authoritarian practices, ranging from electoral fraud, involvement in organised crime and black market activities, attacks against independent and critical media and the silencing of opposition voices (Uzelac 2003; Sisti 2009). Similarly to Gruevski in Macedonia in 2015, more recently Đukanović and his government have faced wide-spread protests by opposition parties and civil society organisations, demanding free and fair elections and an end of the DPS-monopoly on power. Parliamentary elections in October 2016 confirmed the dominance of DPS in the political system, however Đukanović announced that he would stand down as prime minister and leave formal politics (at least for now). Finally, Kosovo has been dominated by the PDK (Partia Demokratike e Kosovës) under the leadership of Hashim Thaçi since 2007. The PDK, and especially a close circle of former Kosovo Liberation Army members around Thaçi have become dominant actors in the country, controlling not only the executive and legislative organs, but also heavily influencing the judiciary, the business sector and media and civil society organisations (Zulfaj 2014). Thaçi, who was also prime minister during Kosovo’s unilateral declaration of independence from Serbia in 2008, has stepped down in 2014 (and acted as deputy prime minister and foreign minister thereafter). In April 2016, Thaçi became the new President of the Republic of Kosovo, further consolidating his political influence. While some of the leaders described above have been in power for a long time, this alone does not justify the argument that authoritarian tendencies are rising in the region. Instead, an examination of governance and political conduct is required, in order to judge whether these political elites have a) substantially undermined basic democratic principles, b) used populism and anti-democratic rhetoric and c) have engaged in illiberal activities that would undermine the wider foundations of a constitutional liberal democracy. As the table below demonstrates, democracy scores according to Freedom House have either been stagnating or decreasing in all four cases, highlighting a decrease in political and civil rights and freedoms.

	2017	2016	2015	2014
Kosovo	52	52	52	43
Macedonia	57	57	60	66
Montenegro	69	70	71	72
Serbia	76	78	80	78

Freedom House combined scores 2014-2017, out of 100, the higher the score, the better the assessment for political and civil rights.

Source: Own design, based on Freedom House data, see: <https://freedomhouse.org>

In order to analyse the developments in these four countries, Kornai’s (2015) discussion on the rise of authoritarianism and illiberalism in Hungary is used as a framework.



Kornai argues that the Orbán regime did not change Hungary's political system overnight, but instead had a well-prepared agenda in order to push for its nationalist-illiberal agenda. Amongst the first steps Orbán took in order to secure his grip on power was the weakening of executive-legislative relations. In a second step, he began to attack those state institutions overseeing the work of the government, first the Courts and the Prosecutor's Office, then several de-facto independent Bureaus' and Agencies that were staffed with allies of Orbán and his FIDESZ party. From there, he began a reform of the civil service, making it easier to sack civil servants and replace leading bureaucrats with trusted allies. Reforms then focused on local government, in order to ensure FIDESZ's dominance at a local level, before an electoral reform favoured the incumbent party substantially. Finally, a new Constitution enshrined this new architecture, and once the political institutions and the bureaucracy of the state had been changed so that FIDESZ's dominance was ensured and protected, Orbán and his allies shifted the agenda in policy-making (Ibid.; Lang 2016). Focusing on a reformed and more Eastward-focused economy, Orbán also became increasingly critical of the EU and its values, at some point openly proclaiming it is his aim to build an 'illiberal democracy'. Yet, despite his critique of liberalism, EU norms and values and Hungary's previous governments and political system, Orbán has not moved to either formally end democracy in the country (there was never an intention to abolish elections, forbid opposition political parties or ensure certain people remain in office for life) or to end membership in the EU. In fact, despite their strong anti-EU discourse, neither the new Polish nor the Hungarian government have any intention to leave the EU, as they benefit too much from EU structural funds and from membership in the single market. Instead, as Vetter (2016) has pointed out, their aim is to challenge European values and promote a different vision of what Europe is. The following section will examine if similar developments can be observed in the four countries under investigation.

### *The Separation of Powers*

Kosovo, Macedonia, Montenegro and Serbia suffer from a dominance of the executive over the legislature. While this phenomenon can be observed in other parliamentary democracies as well (Saalfeld 2003), what is lacking in the four states discussed here is sufficient legislative scrutiny over executive actions. Bills suggested by the governments in the four countries are often passed without wider debate, and parties forming the government fail to hold ministers and senior government officials to account. This is often a result of the composition of the different parties represented in government, which are controlled by a small circle of elites, giving them excessive influence over candidate selection and thereby making every MP more dependent. This dependence is often strengthened by closed-list proportional representation elections (Emerson and Sedo 2010). Abby Innes (2014, 88) suggests that parties as networks of particular interests can 're-politicize the state in pursuit of political monopoly' in order to establish a form of 'party state capture'. This development can certainly be observed in Montenegro and Serbia, where parties have used their power to re-

politicise issues such as the understanding of what the nation is (in Montenegro), or external relations (in Serbia regarding the Kosovo issue), and have even used EU integration to polarise the political system (for Serbia see Mladenov and Stahl 2015, for Montenegro see Džankić 2015).

In all four countries, there have also been substantial problems in relation to establishing a functioning and independent rule of law. Several monitoring organisations, including Freedom House and the European Commission in its annual progress reports have continuously pointed out that they remain concerned about the development of the rule of law in the four countries. Concerns relate to structural issues such as underfinancing and a lack of staffing; but they also include more serious political concerns such as political influence on the judiciary, the appointment of leading prosecutors and judges by political bodies rather than independent agencies, and the abuse of judicial power for political gain (European Commission, 2015a, 2015b, 2015c and 2015d; Gashi 2016; Damjanovski 2016; Marović 2015; Damjanović 2016).

However, when comparing the separation of powers and the functioning of the executive, legislative and judiciary in the post-Yugoslav states with the developments in Hungary and Poland, what becomes obvious is that all of the institutions were never fully established and functioning before the current elites came to power. The weaknesses in terms of institutional design, independence and expertise existed before the current elites came to power. They are often connected to failed state-building projects (often with external input such as in Kosovo,<sup>4</sup> Macedonia and Montenegro). As Levitsky and Way (2016, 53) argue,

[t]he combination of neopatrimonial states and impoverished societies gave incumbents vast resource advantages from day one, and in the absence of functioning democratic institutions, civil society, or an organized opposition, constraints on authoritarian abuse were minimal. Under such conditions, new governments almost inevitably abuse power, triggering either regime instability or another round of authoritarianism.

What the current leaders in all four countries have done, consequently, is use the existing institutional weaknesses to their advantage in order to protect and enhance their position in the political system and extend this to provide patronage support for their allies.

### *Bureaucracies and Independent Agencies*

Bureaucracies and independent agencies exist in liberal democracies to ensure policy coherence and continuation in the case of a change of government. They provide expert guidance on issues such as monetary policy (through independent central banks), and they ensure that political decisions are implemented objectively and independently. Yet, what can be seen in Hungary as well as in the four countries under examination is that these independent agencies have become polarised and filled with associates of the ruling elites. In Montenegro, the longevity of the DPS has ensured that major

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<sup>4</sup> See Joseph Coelho's contribution in this special issue.

segments of the public administration and the civil service have been filled with party associates (Džankić and Keil, 2017). More recently, the wiretapping scandal in Macedonia has demonstrated how the VMRO-DPMNE and Gruevski personally have filled the civil service with party loyalists (Marusic 2015). Likewise, patronage and clientelism have played an important role in post-war Kosovo, especially in the central administration and in parts of the private sector (Skendaj 2014, 97-132). Kleibrink (2015) has argued that patronage networks and interests groups have also played a pivotal role in Serbia, and that ruling elites continue to infiltrate the public sector with party loyalists. The consequences of these patronage systems and the undermining of independent bureaucracies are numerous. First, in all four countries, the state remains the most important employer. However, employment in the state sector is linked to party affiliation, and therefore not only does state capture not ensure a ‘merit’ system of recruitment, but it ensures that bureaucratic and independent institutions in a country do not later question (or check) the government’s decisions, as the employees responsible are in place at the pleasure of the ruling party. Second, the linkage between those in charge of the country and the civil service has enabled an extension of executive power unseen in other consolidated democracies. This has furthermore enabled political elites to implement policies that favour their wider patronage networks. Examples of this can be found particularly in the area of public procurement, where independent bodies have failed to check on government decisions and have therefore enabled strong links between political elites and certain business leaders (BiEPAG 2017).<sup>5</sup> Third, changes to the membership in electoral commissions and new electoral laws have also favoured incumbents and put their opponents in a disadvantaged position. Fourth, as a result of strong patronage systems, key state institutions, from public administration to independent agencies such as media boards, central banks and electoral commissions have not only failed to work independently and effectively, but they have also developed a horrible reputation amongst the countries’ citizens. As Skendaj (2014) points out for the public administration and the judicial service in Kosovo, it is a common belief that these are inefficient bodies, corrupt, and loyal only to particular interests.

### *Civil Society and Media*

Much has been written about the state of civil society and independent media in the post-Yugoslav states (Fagan 2012; Bojicis-Dzelilovic et.al. 2013; Votlmer 2013, Pridham and Gallagher 2010). As scholars of democratization have pointed out, an independent media and a functional civil society sector cannot only help to hold governments to account and control their actions, but they can also positively influence citizens’ mobilisation and help voice concerns of otherwise marginalised groups (amongst many see Merkel 2004, Burnell and Calvert 2004). In the four countries under consideration, the civil society sector has been strongly supported by external funding in order to

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<sup>5</sup> This has also been pointed out as a key area that needs improvement across the post-Yugoslav states in the EU’s most recent enlargement strategy (European Commission 2016).

support their development as an important and established control mechanism. Media systems have been reformed as well, with the aim to establish private media outlets, ensure a pluralistic media scene and contribute to the wider democratization of these societies after the break-up of Yugoslavia and the resulting wars. However, the results are problematic at best and depressing at worst. The civil society sector remains dependent on external funding, and in many countries, including in Kosovo, Macedonia, Montenegro and Serbia, NGOs and other civil society actors (such as trade unions) have found it hard to be taken seriously by political decision-makers. Governments do not call upon their expertise and they have no direct way of influencing decision-making and policy debate amongst political elites. In some cases, such as in the Montenegrin case of the NGO MANS, there has been open hostility between the government and NGOs. In all four cases, NGOs have been called foreign agents, traitors, spies and forces that want to destabilise the system (Damjanovski 2016; Gashi 2016; Damjanovic 2016; Marovic 2016).

A similar picture is visible when assessing the media scene. As the Freedom House reports for all four countries point out, state media is disproportionately controlled and dominated by news of the government's actions and achievements (Gashi 2016; Damjanovski 2016; Marovic 2015; Damjanovic 2016). Private media often rely on income from advertising, an area in which the state remains the most important actor. This has resulted in their reluctance to hold the governments to account and those that did have faced substantial losses in income from advertising revenue as a result. This has further silenced the voice of critical media. Additionally, there has been open hostility towards those media outlets that have reported critically of the government's actions. Prime Minister Vučić ran a campaign against the Balkans Investigative Reporters' Network and their online platform Balkan Insight, which has reported about corruption in connection with the provisions of state contracts in Serbia (Nikolic 2015). In Macedonia there has also been a campaign against critical media outlets, that have accused the government of corruption, nepotism and authoritarian tendencies (Marusic 2015b). The latest Reporters Without Borders report on Montenegro argues that '[j]ournalists have to censor themselves because they are often the targets of violent verbal and physical attacks and those responsible enjoy virtually systematic impunity. The media are subject to political and economic pressure' (RSF 2017). In Kosovo, the country ranked lowest in the Reporters Without Borders Index on Media Freedom across the region, there have more recently been direct attacks on journalists, in addition to political campaigns against certain outlets (Tota 2015).

The conclusion is obvious: Government officials openly attack critical media outlets as traitors and Western-paid sources of instability, while at the same time disproportionately influencing state media and private outlets to report in favour of government actions. This impacts heavily on the quality of democracy, up to the point where one might question the availability of independent and diverse reporting. Media is very much influenced and dependent on the government. A similar assessment can be reached when assessing the state of civil society in the four countries. While there has been a growing civil society in all four countries, its influence on political decision-making has remained

limited. Unlike common practice in established Western democracies, civil society organisations are not regularly consulted and involved in the drafting and implementation of legislation, and their advice in policy consultation is not thought. What is more, where NGOs have been critical of the government, they often face stern opposition, including inspections, re-assessment of their status and public shaming. A recent report by the Albanian Media Institute concluded that ‘Civil society actors are increasingly being perceived as traitors of national interest, working only for their personal interest and that of foreign actors’ (Albanian Media Institute 2016, 7). Media and civil society are not seen as mechanisms for checks and balances, or as partners of the government in a wider democratic system; instead they are still seen either as close allies (and uncritical voices of government policy), or they are seen as enemies that need to be fought and silenced.

### *Policy-Making*

The discussion above has demonstrated that the four countries discussed in this paper have followed a similar path to the developments of Hungary under Orbán. In all four countries, formal institutions have been manipulated and rules have been changed to favour the elites in power. What is more, once the checks and balances within the political systems have been removed, other checks and balances, either within independent agencies and within the civil service, or through independent media and civil society have been attacked to prevent critique of government practices. This has enabled governments to pursue a policy agenda that favours their own interests and those of their close networks. It is worth noting, however, that in all four countries the governments have undermined basic democratic principles, yet, they have remained supporters of their country’s EU integration. Like Orbán in Hungary, who never questioned Hungarian EU membership, so too have the elites in the four post-Yugoslav countries realised that a large section of their population supports the EU integration of their country.<sup>6</sup> Even in Serbia, where EU integration is more contested than in the other cases, Vučić realised that in order to join the government, he had to embrace EU integration. Yet, the relationship towards the EU has remained schizophrenic. While the elites in power have consistently stated their desire to join the EU and work for their country’s European integration, they have at the same time used the EU as a scapegoat and as a foreign enemy. In the wake of the above described BIRN affair in Serbia, Vučić claimed that BIRN was paid by Brussels to undermine the Serbian state. Gruevski has made similar statements about the Open Society Foundation and their support from Brussels (Knezevic 2017). This criticism has increased after the Macedonian elections in December 2016, and Gruevski has become more and more hostile towards the EU, accusing it and its Member States of meddling in Macedonian affairs (DW 2016). In Montenegro, Đukanović has abstained from direct attacks towards Brussels, instead focusing on a threat from Moscow to ensure EU support for

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<sup>6</sup> Data from the Regional Cooperation Council from 2016 state that 83% of Kosovo citizens think that EU membership is a good thing, compared to 47% in Macedonia, 38% in Montenegro and 21% in Serbia, which is the only country in which more people are against EU membership than for it (31% vs. 21%) (RCC 2016, 50).

his government. Likewise, Hashim Thaçi in Kosovo has abstained from direct critique of the EU. However, the elites in Montenegro and Kosovo, like their counterparts in Serbia and Macedonia, have claimed numerous times that foreign agents are threatening the stability in their country. These claims have often been used to accuse NGOs and critical media of national betrayal and sabotage.

This goes in line with a wider discourse in which these elites establish themselves as the only protectors of their country's place in Europe, its unity and its safety. This is best represented in Vučić's double speech on Kosovo, with which he has engaged in an EU-mediated dialogue, while at the same time ensuring that at home there is no question about his feelings towards Kosovo as a key part of Serbia (Economides and Ker-Lindsey 2015). In Montenegro, Đukanović has become such an iconic figure in the political system, that there is the appearance of a lack of alternatives and he has several times been described as the saviour of the Montenegrin nation (Džankić and Keil 2017). Big building projects, such as 'Skopje 2014' or 'Belgrade Waterfront' contribute not only to the strengthening of national consciousness and the feeling of national renewal, but they also demonstrate how these leaders see themselves – as elites that change their countries, the politics, the societies and the look of the cities. Of course, there is also a very practical side to these building projects, as they strengthen the links between those in government and private companies in charge of these multi-million dollar projects. Macedonia's national debt for example has doubled because of the investments in 'Skopje 2014', and a BIRN investigation has demonstrated how several people have become very rich as a result of the project (BIRN 2015). Leaders in all four countries portray themselves as the only option, as the saviour of the nation and the leader that will bring a better future. This, to some extent even religious and mystical stylisation of the elites has not only enabled them to push through controversial policy decisions, such as Serbia's dialogue with Kosovo and Montenegro integration into NATO, but it has also enabled these elites to picture themselves as standing above politics. Vučić, Thaçi and Đukanović have proven that it does not matter which position they have, as they remain the leading figures in the system. The same goes for Gruevski, who remains a key actor in Macedonian politics despite of stepping down in early 2016.

## **Conclusion**

The developments in the four countries under examination highlight a worrying trend. Democratic governance is more and more under threat. One could go as far as arguing that none of the four cases is a liberal democracy anymore. Instead, they have become illiberal democracies at best and semi-authoritarian systems at worst. While elites in none of the case studies have attempted to abolish elections or forbid opposition parties, they have established mechanisms that ensure their access to decision-making powers. This has been relatively easy in the four countries, because of legacies of violent conflict, sanctions, weak transition to democracy and opportunities for the elites in these countries to use existing structures to capture the state. The EU, while demonstrating in their progress

reports certain concerns, has remained relatively quiet about these developments. This is the result of three important developments. As discussed above, all of the new authoritarian elites in the Western Balkans retain a pro-European language and have committed to the EU integration of their countries. This makes them harder to attack and to challenge directly. At the same time, it has to be said that these elites are the result of EU support for certain groups, people and parties in the region. In Serbia, Vučić was praised as a pro-European, reform-oriented prime minister in Brussels and in many European capitals. Likewise, Đukanović has been seen as a factor of stability in Montenegro, and a politician that would limit Russia's influence in the region. This focus on stability has meant that European elites have closed their eyes to many of the undemocratic practices of these elites, and only intervened when mass protests and political crises reached a critical point, as was the case in Macedonia in 2016. The EU's focus on security and stability instead of democracy has also been the result of EU-internal developments, with the refugee crisis, BREXIT and the Eurocrisis high on the agenda of EU leaders. Finally, it has to be mentioned that the EU itself has contributed not only to the rise of these elites, but also to their sustainability. Too often has Brussels failed to challenge elites when they undermined democratic practices and when they attacked checks and balances in their own countries. This is also true for developments in Hungary and Poland, which the EU has watched from the sidelines, unable and more importantly unwilling to intervene. However, what leaders in the EU have not recognised is that EU integration remains the biggest driver for change in the region. The vast majority of people want their country to join the EU, NGOs and independent media welcome the implementation of European standards in the Western Balkans. What the EU needs to do is recognise that it has the power to intervene, not to change governments, but to act as an additional check on ruling elites, and to hold them accountable. The EU can point out when these leaders fail to deliver on the progress they promised, and when their decisions seriously question their countries' EU integration. This would mean taking its role seriously and recognising the transformative power of conditionality. To think that these authoritarian leaders will bring stability is a big mistake. The EU should not be afraid of its influence in the region and it should use it, not to intervene directly, but to hold the elites accountable for their actions.

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