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## How the quality of democracy deteriorates: Populism and the backsliding of democracy in three West Balkan countries\*

Dimitri A. Sotiropoulos

### Abstract

*Assessments of the quality of democracy focus on deviations from the rule of law and decreasing levels of political participation, but do not adequately explore the mechanisms through which the quality of democracy decreases. Populism is such a mechanism, used by populist leaders, after they ascent to power. Populism is combined with clientelism and corruption to form means of political domination in democratic regimes which are backpedalling or backsliding. Examples are three recently consolidated democratic regimes of Western Balkans. The governments of Aleksandar Vucic in Serbia, Nikola Gruevski in FYR Macedonia and Milo Djukanovic in Montenegro purposefully use populism, clientelism and corruption. Although not present in all backsliding democracies, populism, clientelism and corruption are associated with backsliding from recently consolidated democracies and deterioration of the quality of democracy.*

**Keywords:** populism, clientelism, corruption, quality of democracy, Western Balkans

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## **I. Introduction**

After the victories and near-victories of populist or nationalist political parties and candidates in elections which took place in 2012-2016 in Hungary, Poland, Austria, and the USA, the academic literature on quality of democracy, which is more than ten years old (Morlino 2004, Diamond and Morlino 2005, Buehlman, Merkel and Wessels 2007) has become very topical. In the meantime, efforts to evaluate democracy and to determine whether democracy is on the decline have multiplied (e.g., Lindberg 2011, Foa and Munk 2016). All these strands of academic literature depart from the premise that democracy cannot anymore be viewed as a mere procedure to periodically elect governing equippes. Nor is it acceptable that such equippes will tend to the affairs of the state unencumbered by concerns such as accountability and political participation in decision-making. This traditional, minimal understanding of democracy as a procedure to periodically elect those who govern (Schumpeter 1976) is less and less sustainable in today's world, when democracy leaves a lot to be desired.

In this context, the quality of democracy as a concept is discussed in systemic terms and as a variable characterizing a political regime, namely contemporary liberal democracy. The quality of democracy is a not value-neutral concept. It refers to approximating a good democracy in terms of a) procedures of decision-making (rule of law, efficiency), b) the content of decisions and policies (freedom, equality) and c) the output of democracy, measured by legitimation of specific institutions and/or policies (Morlino 2004).

As a variable, the quality of democracy may be high or low. It is obviously a variable difficult to measure, which rather ambitiously attempts to catch various dimensions of the workings of a democratic regime: freedom, the rule of law, vertical accountability, responsive-

ness, equality, participation, competition, and horizontal accountability (Diamond and Morlino 2005).

Whether the quality of democracy is estimated to be higher or lower, depends on numerous factors, including contextual ones, namely aspects of the specific democracy under study. It is a concept which is operationalized in more than one ways. It is assessed through qualitative analysis, for example, through case studies of the extent to which the rule of law is implemented in various countries (O'Donnel 2004, Magen and Morlino 2008) and also through the compilation of quantitative data, in the form of numerical values assigned to indicators of the level of quality of democracy. Such indicators are employed by the Freedom House, the Polity Project, the Bertelsmann Stiftung, the Fund for Peace, the World Bank's "World Governance Indicators" and the "Varieties of Democracy" projects to assess contemporary democracies.

Other literature has focused on the illiberal turn of democracy or the back-sliding or back-pedaling of democracy or the disruption of democracy, all of which are phenomena indicating that there is deterioration of quality of democracy (Zakaria 1997, Tilly 2003, Bohle and Greskovits 2009, Krastev 2014, Bermeo 2016). But how and through what mechanisms does the quality of democracy deteriorate? This is the main question of this paper, which, however, is discussed in the context of a specific region, the Western Balkans (WBs).

In what follows, a brief presentation of the phenomenon of backsliding of democracy in the contemporary world will be made. It will be followed by a discussion of populist challenges to democracy. Then, the analysis will proceed to the theoretical framework of the paper, case selection and research design. In the main body of the paper, evidence on the backsliding of democracy is presented and alternative approaches to evaluating democracies are assessed. The bending of

rules of the democratic game is interpreted in a wider socio-economic context, and specific patterns of populism, clientelism and corruption are analysed as three distinct, but also variably combined, means of political domination of governing elites in West Balkan (WB) democracies. Although the paper's focus is on three WB countries, FYR Macedonia, Montenegro and Serbia, evidence from other WB countries is also furnished. The paper ends with a discussion of how populism, clientelism and corruption feed into each other, eventually provoking the degradation of democracy's quality.

### *The backsliding of democracy*

About a quarter of a century after the third wave of democratization reached its peak with the almost simultaneous transition to democracy in almost all East European countries (1989-1991), a discussion about grave problems threatening democracy has resurfaced with an intensity encountered probably only in the democracies of the inter-war period (1918-1939). This time the limits to democracy and the weakness of democratic institutions in the face of major challenges have become visible in several ways: first, in the problematic way in which the recent economic crisis was managed by governments and international actors in the weakest economies of Europe; second, in the deepening of income inequalities in a liberal democratic setting; and, third, in the ascent to government, through national elections, of populist/nationalist political parties and leaders who tamper with the constitution, electoral systems, and the media, among other democratic institutions.

The emergence and survival, if not the multiplication of such governments, pose at least three larger theoretical questions about the quality of democracy. First, given the above context, is political responsibility actually implemented? Second, what is the interaction between citizens and decision-makers? And, third, are citizens able to make politi-

cal authorities accountable? Naturally these questions concern, not only relatively recently established, but all representative democracies today, including the oldest and most stable among them, such as France (according to LIEPP's research axis "evaluation of democracy"; see <http://www.sciencespo.fr/liepp/fr/content/axe-evaluation-de-la-democratie-evaldem>).

However, such questions may also be investigated in recently established, albeit not fully consolidated democracies, where memories and possibilities of non-democratic rule are still available. Moreover, these questions may acquire particular relevance in contexts where democracy is younger, such as, for instance, in the post-socialist democracies of WBs. In these cases, despite disappointments of citizens with democracy, there is still debate on what one may expect from a fuller consolidation of democracy and from joining the world of longer established democracies, such as the democracies of Member-States of the European Union (EU).

Indeed, the study of transitions to and consolidation of democracy has shown that democratization is not a linear process. Rather, it must be understood as an open-ended process, which is debated within and among political elites and publics and driven by multiple institutional pressures and actors' choices (Linz and Stepan 1996, Whitehead 2002). Further on, research has shifted from problems of democratic consolidation to the study of democratic persistence and the quality of democracy (Diamond and Morlino 2005, Roberts 2009).

Since the transition to democracy in Eastern Europe (1989-1991), the general impression has been that liberal democracy as a type of political regime has been diffused around the world and –barring cases of civil strife or other major domestic tensions - it is not under threat. However, there is increasing concern about a ten-year long “decline in global freedom” (Freedom House 2016, for the period since 2006),

“democratic recession” (Diamond 2015), and longer declining trends in citizens’ attachment to democracy (Foa and Munck 2016).

Other studies on democracy over the past ten years have pointed to possibilities of de-democratization (Tilly 2007) and processes of “state-led debilitation or even elimination of the political institutions sustaining an existing democracy”, aptly called “democratic backsliding” (Bermeo 2016).

Long-term, explicitly anti-democratic regimes of the kind experienced in developed and developing societies in the previous century have dwindled. Backsliding occurs through brief coups followed by a promise to return to democracy, by manipulation of electoral systems and infringement of regulations on elections and by the further enhancement of the powers of the executive over the rest of the branches of government (Bermeo 2016).

### *The populist challenge to democracy*

However, the exact mechanisms through which actors, such as elected governments, may today make a democracy backslide, short of engineering a complete breakdown of democracy, deserve a closer look. This is all the more so, as liberal democracies, even in the heart of Europe where modern democracy has originated, now face uncommon challenges from the left and the right of the political spectrum, in the form of the rise of populism. Indeed, the advent of populist parties to power in Hungary and Poland, the formation of coalition governments based on pre-electoral radical populist discourse in Greece and the meteoric electoral performance of populist candidates in other European democracies and the USA have raised questions about the origins and nature of populism and possible challenges to liberal democracy. Such challenges do not only come from “below”, but also from “above”, i.e., from winners of elections who tamper with democratic



institutions after they obtain a parliamentary confidence vote and are sworn in.

Admittedly, populists may be supportive of democratic institutions, at least before they rise to government, and in fact they may express the interests of popular strata, such as low-income groups. In that sense, depending on the historical period in question and the structure of the political party system, populist parties may contribute to the enlargement of political participation and the furthering of democratization.

Yet, comparative political research in Europe has not analysed how such populist parties and leaders behave, once they are elected to power, to an extent equal to that it has done in explaining the discourse and attractiveness of populism (Mudde 2007, Kriesi 2014, Kriesi and Pappas 2016). Indeed, European populism thrives on certain distinct themes and mentalities, which includes adherence to the nation (Taguieff 2007) and hostility to domestic and foreign alleged enemies of the people. The latter include business elites and particularly bankers, foreign trade, the European Union (EU) authorities, the Muslim and Jewish religions, migrants and refugees, gender- and sexual-identity movements. Not all these themes are found in all populist discourses. For instance, left-wing populists are not necessarily nationalists and at least nominally support refugees and migrants.

Populists may be hostile to some or all the above groups and authorities in order to attract the votes of citizens who seek familiar scapegoats for domestic economic and social ills or are alienated from supra-national authorities, currents and processes. Once in power, populists share a propensity to govern in an unbounded fashion. In other words, they rule without taking into account political and administrative institutions other than the government itself. They actually take such institutions, such as the justice system or the media, into account in so far as they can undermine or neutralize them.

What is the relationship of democracy and populism in power? This paper will argue the relationship is very tense, if not incompatible, and that it is better to understand populism as one among different means of political domination in recently established democracies. Other such means of political domination are clientelism and corruption. For reasons to be explained in the paper's next sections, likely candidates, amenable to the study of low quality of democracy and democratic backsliding, are democracies of the Western Balkans.

In view of the above, a tentative answer to this paper's main question, namely how and through what mechanisms the deterioration of quality of democracy takes place, is the following: under lingering state socialist legacies, the combination of strong governments with fragile parliamentary opposition and weak civil society result in the backsliding of democracy. This is accomplished through the governments' drawing on a repertoire of populist, clientelist and corruption practices, as this paper will argue with regard to today's WBs. The result of employing populism, clientelism, and corruption as three different and often combined means of political domination is that the quality of democracy decreases and democracy itself backslides from the level of consolidation or near-consolidation it has reached.

## **II. Theoretical framework of the paper and the consolidation of democracy in the Western Balkans (WBs)**

There is no consensus whether most WB democratic regimes have been consolidated or not. On the one hand, multiple parliamentary and presidential elections have taken place since transition to democracy, there has been government turnover, and there are no visible players, such as the army or the security forces or other institutional or extra-institutional powers, which doubt that democracy is the only game in town (Linz and Stepan 1996).

On the other hand, WB regimes function in ways which lead analysts to question how democratic they are. For example, Freedom House considers Albania and all former Yugoslav democracies, with the exception of Slovenia, as “semi-consolidated democratic” or “transitional government/hybrid” regimes (Freedom House 2016). The former term means “electoral democracies that meet relatively high standards for the selection of national leaders but exhibit some weaknesses in their defense of political rights and civil liberties”. The latter term (“transitional/hybrid regimes”) means “electoral democracies that meet only minimum standards for the selection of national leaders. Democratic institutions are fragile and substantial challenges to the protection of political rights and civil liberties exist, while the potential for sustainable, liberal democracy is unclear” (Freedom House 2016). The aforementioned countries are similarly assessed in other counts, such as the Fragile States Index (Fund for Peace 2015).

On the same issue, in more qualitative assessments of democracy in the same region, there are usually two lines of argument. A first line of argument claims that WB regimes are not democratic at all. They are oligarchic regimes functioning to the benefit of small, closely knit political and business elites (Horvat and Stiks 2015).

A second line of argument claims that, while most of the appropriate institutions found in liberal democracies are in place, in the Western Balkans (WBs) such institutions do not function according to the standards required by contemporary advanced democracies. Analysts periodically point to voids in the relevant legislation of WB states and underline policy implementation gaps. For instance, such observations are regularly contained in European Commission’s annual “Progress Reports”. This line of argument prioritizes the rule of law in the sense that it considers the problem with WB democracies to be a problem of limitations of the formal institutional design and un-satisfactory im-

plementation of the legal framework governing these democracies (Dolenec 2013).

The first line of argument mentioned above, i.e., the radical approach, is problematic because it either assumes that the structures of capitalism, conceived in an anthropomorphic manner, unavoidably restrict democracy or it borders on conspiracy theory. A further problem is that even if this line of argument sheds its structuralist or conspiratorial overtones, it still assumes that elites are all-powerful and act in an institutional void.

The problem with the second line of argument, i.e., the rule-of-law approach, which correctly underlines the inadequacy of the legal framework and the implementation gap in the WBs, is different. This approach implicitly assumes that if you change the institutions, human behaviour will change accordingly. More concretely if rule of law is finally achieved in WBs, the remaining problems of democracy will gradually be more or less resolved. This is a rather optimistic view that possibly underplays the significance of aggravating historical legacies in the WBs.

Having in mind that there is a wider crisis of liberal democracy unfolding in different quarters of the advanced and the developing world, this paper accepts that historical legacies shape institutions. The pathways which the latter follow, are dependent on choices initially made at the initial time point of their conception (Steinmo, Thelen and Longstreth 1992).

The paper does not assume that everything is pre-determined by historical legacies, but attempts to map how powerful actors, such as political and business elites partially bend institutions. They put institutions to uses suitable to their own interests, for instance by misusing democratic institutions. This is a wider point, not limited only to the

case of democracies in WBs. Indeed, starting from different analytical frameworks, analysts have underlined the problems of today's liberal democracies and have criticized the functioning of democratic institutions in general (Crouch 2004, Della Porta 2013).

In the context noted above, this paper argues two things: first, that democracies in WB are not competitive authoritarian regimes (Levitsky and Way 2010) but currently share some of the problems which many contemporary advanced democracies face, although admittedly some of these problems occur in WBs to a larger extent.

And, second, that, in contrast to most advanced democracies, democracy in WBs has been put to self-serving uses by specific concrete collective actors. The latter employ populism, clientelism and corruption to prolong existing power asymmetries which benefit them.

Typical examples of such actors are groups of insiders (individual businessmen, business trusts and privileged groups of the workforce, linked to the public sector and relatively shielded from economic hardship) and, above all, skilled, experienced and unscrupulous governing elites, consisting of cadres of political parties who have been active since the 1990s. Such elites emerged after the transition to democracy and were socialized into and contributed to the undemocratic politics of the immediate post-transition period.

In this paper, we will focus on three such cases, namely, the VMRO-DMPNE governing elite in FYR Macedonia (in power since 2006), the SNS elite in Serbia (in power since 2012) and the DPS elite in Montenegro (in power since 1991, the longest surviving post-socialist governing elite in Southeastern and Eastern Europe). These elites, naturally aiming to rise to power and prolong their stay in power, have purposefully helped constructing an institutional environment conducive to their interests. Along the way, they have actively make democ-

racy backslide, because it is in their interest to do so, while for some time now they have been unhindered by domestic and external impediments.

### **III. Research design and case selection<sup>1</sup>**

In comparative historical analysis it is possible to employ several research strategies, two of which stand out. First, one may examine similar cases which present a common outcome and attempt to detect a set of common factors which lead to the outcome under study in the selected cases (most similar systems research design, owed to John Stuart Mill's original "method agreement"). Alternatively, one may examine cases which are obviously very different from each other, except in one detectable factor which they hold in common and which can be shown to be causally associated with the common outcome found in all cases under study (most dissimilar systems research design, owed to John Stuart Mill's original "method of disagreement"). This paper has selected the first research strategy, i.e., most similar cases.

In the 1990s, the regime of liberal democracy, was ushered in the region of Western Balkans, for example in FYR Macedonia, Serbia and Montenegro, which at the time along with Serbia, were constituent republics of post-socialist Federal Republic of Yugoslavia (FRY), simultaneously with transition to the market economy and the redrawing of national frontiers. Democracy did not become consolidated but only in a two-step process (Pridham and Gallagher 2000). The three countries under study in this paper are examples of such delayed democratic consolidation.

The claim that FYR Macedonia, Serbia and Montenegro are consoli-

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<sup>1</sup> I owe the motivation to improve on this section to Emiliano Grossman, Paris, October 2016.

dated democracies can of course be disputed. If they are not, then the meaning of backsliding of democracy loses part of its value. One could argue that democracy cannot backslide from a state of affairs which is barely democratic to start with. However, it can be argued that in all three countries, democracy, albeit frail or very far from ideal, is actually consolidated.

First, there has been a double government turnover, i.e., the national government has changed hands at least twice in FYR Macedonia and Serbia. In Montenegro, it has not done so, but over time there have been different governing coalition partners of the ruling party of Milos Djukanovic. As the cases of post-war Italy and Japan have shown, in dominant party systems the ruling party is not easily defeated in elections. Electoral dominance in and by itself does not imply lack of democratic consolidation. Otherwise Italy and Japan, where the Christian Democratic party and the Liberal Democratic Party, respectively, won successive elections in the post-war period, would not have been included among the liberal democracies.

Second, there is no evidence that citizens of FYR Macedonia, Serbia and Montenegro and the political parties participating in electoral contests in the three countries would prefer another political regime over democracy. Despite low levels of trust towards democratic institutions in the three countries (Regional Cooperation Council - Balkan Barometer 2015: 82-91), it would be unrealistic to claim that Macedonians, Serbs and Montenegrins would welcome back a regime of the type they left behind a quarter of a century ago. Nostalgia of state socialism, which can be widespread in other countries of Eastern Europe, is not present in the countries under study. As for “Yugonostalgia”, this is more of a cultural than a political trend.

More concretely, for Serbs and Montenegrins the transition from state socialism in 1989-1991 was the first step in a two-step democratiza-

tion process which did not progress until a second step was taken with the defeat of Yugoslavia in the Kosovo war of 1999 and the fall of Milosevic from power in 2000. FYR Macedonia also went through a similar, two-step process. It did not itself participate in the Yugoslav wars, but was ravaged by internal ethnic strife in the 1990s and was at the receiving end of the humanitarian crisis provoked by the Kosovo war of 1999. FYR Macedonia thus took the second step in 2001, when the Ohrid Agreement partially normalized Macedonian-Albanian relations within the country.

In other words, these three countries, Serbia, Montenegro and FYR Macedonia originated in the former Yugoslavia, were affected by war or strife (Serbia much more than the other two countries), and became democratic in a belated fashion. The three countries share a rather similar profile, lie in the same region and draw on the same historical past after 1945.

For a quarter of a century now FYR Macedonia, Montenegro and Serbia have navigated a course which has brought them to the uncharted waters of a consolidated but substandard democratic regime. Today none of the three cases under study can be characterized as a semi-authoritarian regime or an “electocracy” (Dawisha and Parrot 1997), of the kind found in post-Yugoslav states in the 1990s.

FYR Macedonia, Montenegro and Serbia may have originated in former Yugoslavia and may still today be sharing many similarities, but are obviously different in many respects. Examples of such differences are population size, relevant weight of minorities in their ethnic composition, structure of the economy and the labour market, economic performance, and the aforementioned degree of participation in the Yugoslav wars, among other aspects. Yet, the three countries share many characteristics with regard to democratic backsliding, the dependent variable of this research. This is what makes them appropriate



for a “most similar systems” research design, employed in the present paper.

The purpose of this design is to find one or more, not always obvious, but real similarities among different cases. Such similarities might help explain the common phenomenon which these cases share, namely, de-democratisation or the backsliding of democracy which does not however end with the complete destruction of democracy, as it would happen in the case of a typical nineteenth or twentieth century “coup d’état” abolishing a democratic regime.

#### **IV. Evidence that democracy backslides in the Western Balkans**

There are two ways in which one can investigate whether democracy backslides or not. One is to resort to cross-national assessments of democratic performance, three of which are mentioned below. The other is to focus on particular case studies, unravelling the concrete ways in which democracy functions, an exercise attempted in the next section of the paper. Table 1, drawn on Freedom House (FH) Index, shows scores of democratic freedom (the higher the score, the less free the state).

It must be of course noted that the scores shown in Table 1 are assigned by informed experts and academics and are not necessarily precise estimations of levels of freedom, let alone democracy in general. Nevertheless, they do show a general trend, i.e., a trend towards less freedom in the democracies included in Table 1. A similar pattern emerges if one looks at trends of perceived corruption. In theory, in a country undergoing democratization, transparency is not expected to deteriorate over time. Yet, as Table 2 indicates, corruption has increased in the WB countries over time (the higher the score, the less transparent a country is perceived to be).

**Table 1. Democracy in the Western Balkans - Freedom House's index of democracy**

	<b>2011</b>	<b>2013</b>	<b>2015</b>	<b>change 2015-2011</b>
<b>FYR Macedonia</b>	3.82	3.93	4.07	+0.25
<b>Montenegro</b>	3.82	3.82	3.89	+0.07
<b>Serbia</b>	3.64	3.64	3.68	+0.04
<b>Kosovo</b>	5.18	5.25	5.14	-0.04
<b>Croatia</b>	3.64	3.61	3.68	+0.04
<b>Bosnia-Herzegov.</b>	4.32	4.39	4.46	+0.14
<b>Albania</b>	4.04	4.25	4.14	+0.14
<b>ECE average</b>	2.29	2.33	2.43	+0.14
(Czech Rep., Hungary, Poland, Slovakia, Slovenia)				

Source: Freedom House, <https://freedomhouse.org/report/freedom-world/freedom-world-2016>, accessed on 03.12.2016

**Table 2. Perceived corruption in Western Balkans, 2009 and 2015**

	<b>2009</b>	<b>2015</b>	<b>change 2009-2015</b>
<b>Kosovo</b>	28	33	+5
<b>Bosnia-Herzegovina</b>	30	38	+8
<b>Serbia</b>	35	40	+5
<b>Croatia</b>	41	51	+10
<b>Albania</b>	32	36	+4
<b>FYR Macedonia</b>	38	42	+4
<b>Montenegro</b>	39	44	+5

Source: Transparency International, Corruption Perception Index (CPI), <https://www.transparency.org/cpi2015/>, accessed on 02.12.2016

According to a third independent assessment, Bertelsmann Stiftung' Transformation Index (BTI), political participation, instead of becoming wider, has decreased over time in most West Balkan countries (Table 3). As a concept, political participation in the context of the BTI, includes free and fair elections, effective power to govern, association and assembly rights, and freedom of expression.

**Table 3. Bertelsmann Stiftung's Levels of Political Participation in East Central and South East Europe, Bertelsmann Transformation Index (BTI), 2008-2016**

	2008	2014	2016
<b>Albania</b>	8.3	7.0	7.2
<b>Bosnia-Herzegovina</b>	8.5	7.5	7.0
<b>Croatia</b>	9.5	8.8	8.8
<b>FYR Macedonia</b>	8.8	7.3	6.2
<b>Kosovo</b>	8.3	7.3	7.2
<b>Montenegro</b>	8.5	8.0	7.8
<b>Serbia</b>	8.8	8.3	8.5
<b>Bulgaria</b>	9.3	8.5	8.5
<b>Romania</b>	9.3	8.3	8.3
<b>Czech Republic</b>	10.0	10.0	9.8
<b>Hungary</b>	10.0	8.8	7.5
<b>Poland</b>	9.5	9.8	10.0
<b>Slovakia</b>	10.0	9.8	9.8
<b>Slovenia</b>	9.8	9.8	9.5

Source: BTI data base of the Bertelsmann Stiftung, [http://www.bti-pro-ject.org/en/suchergebnisseite/?tx\\_rsmsearch\\_pi1%5BsearchQuery%5D%5BqueryString%5D=Time+Series+Political+Participation](http://www.bti-pro-ject.org/en/suchergebnisseite/?tx_rsmsearch_pi1%5BsearchQuery%5D%5BqueryString%5D=Time+Series+Political+Participation), accessed on 13.10.2016. Scale 1.0 10.0; the higher the value, the better the level of political participation.

These three tables indicate that democracy is on the process of backsliding in WBs. In this paper the backsliding of democracy can be understood as a dependent variable which cannot be measured either easily or directly. It is a dependent variable which is contextualized, namely it is taken to be a rough approximation of the deteriorating levels of perceived corruption, political participation and political freedom, shown in the three aforementioned Tables and the qualitative information provided in the immediately previous sections of the paper. The paper's next sections offer an interpretation of this phenomenon.

## **V. Existing approaches to the lack of democratic consolidation in Western Balkans**

There already exists valuable research on classifying WB democracies and unearthing their major problems, as seen in the light of the model of liberal democracies. In an effort to understand why, even after democratic consolidation has been accomplished, liberal democracy in WB continues to function at sub-standard levels, various concepts have already been coined for the analysis of democracy in some East European countries. Such concepts, useful also for the study of WBs, are “illiberal democracy” (Zakaria 1997), “defective democracy” (Merkel 2004), the “the quality of democracy” (Diamond and Morlino 2005, Morlino 2011, Roberts 2014) and “de-democratization” (Tilly 2007).

All these conceptual innovations have tried to illuminate the glaring gap between formal and substantive democracy in Eastern Europe (Kaldor and Vejvoda 2002) and are useful to understand the contemporary WBs too.

Different conceptualizations of the sub-standard performance of WB democracies have been accompanied by attempts to actually measure

such performance. For instance, the opinions of the general public in the region and opinions of experts on the region have been registered. Examples of public opinion surveys include the Gallup Poll's "Balkan Monitor" and the recent inclusion of population samples from Croatia and FYR Macedonia in the Standard Eurobarometer surveys, conducted by EU's Eurostat service. Examples of expert surveys include the Bertelsmann Stiftung's "Sustainable Governance Indicators" (SGI), the World Bank's "Governance Indicators" and the "Failed States' Index".

The above conceptual and empirical quantitative approaches to defective or dysfunctioning democracy in Eastern Europe have contributed a lot to the comparative political analysis of new democracies. Yet, the aforementioned approaches may run into two obstacles.

First, there is a temptation to consider Western democracies to be prototype models of liberal democracy, while this may not be so. As the performance of these democracies since 2008 has indicated in the context of the global financial turmoil and the Eurozone crisis, they themselves have proven to be problematic.

Indeed, as the Eurozone crisis since 2010 has shown, EU's supranational democratic institutions (e.g., the European Parliament) and the EU's Member-States usually take a back seat for as long as the management of the crisis lasts. Governments and even international non-elected officials, representing international financial institutions (IFIs), assume the task of steering national economies out of the crisis while citizens are expected to seat and watch. In advanced democracies and particularly so EU democracies, participation in policy making leaves a lot to be desired when it comes to reconciling the pressures of international markets with the demands of democratic accountability.

Even before the Eurozone crisis struck, the level of satisfaction of Europeans with the way democracy functioned in their countries varied a lot and was generally on the decline (European Commission, Standard Eurobarometer time series data, <http://ec.europa.eu/COMMFrontOffice/PublicOpinion/index.cfm/Survey/index#p=1&instruments=STANDARD>).

Thus, even Western democracies today encounter severe problems. Yet, compared to the admittedly imperfect yet existing and functioning liberal democracies of the West, WB democracies encounter comparatively more severe problems in a plethora of levels and instances mentioned in the next section of this paper.

The second obstacle concerns the compilation of data, aiming to register changes in quantitative variables over time. Such measurements, relying on indicators of defective democratization or quality of democracy, do not offer the full picture. They are very useful but they constitute only a starting base on which to construct, first, a description of the most crucial instances in which democracy continues to fail in WBs and, second, a set of linkages among these instances, suggesting how they feed into each other.

## **VI. Bending the rules of the democratic game without reaching a breaking point for democracy**

Even if one admits that democratic consolidation has been achieved in WBs, one should not be blind to recurring phenomena of divergence from standards of liberal democracy in the countries under study. Today in WBs governing elites seize or create opportunities to bend the rules of the democratic game to their own benefit. Examples are manipulating the electoral law, controlling the judiciary, using insider information or formulating policies to suit the acquisition of state-owned assets by government-supported businessmen, and blocking

welfare state reforms which would have made social protection more evenly distributed across the population (Cohen and Lampe 2011, Balfour and Stratulat 2011, Bieber and Ristic 2012, Keil 2012). In other words, toying with the rules of party competition is a pattern distinguishing the VMRO-DMPNE governing elite in FYR Macedonia, the SNS elite in Serbia and the DPS elite in Montenegro, as well as their predecessors in power (Bieber 2003, Ramet and Pavlakovic 2005, Clark 2008, Bideleux and Jeffries 2008, Ramet 2010, Boduszynski 2010).

Bending the rules of the democratic game today, does not imply flagrant violation of the rules of such game, as was the case under semi-authoritarian regimes in WBs of the 1990s and at least until the turning point of 1999-2001. This was a turning point for several WB countries. In FYR Macedonia, after long term tensions and the eruption of armed conflict, a *modus vivendi* was established between the Macedonian majority and the Albanian minority through the Ohrid agreements of 2001. In former Yugoslavia, which at the time comprised both Serbia and Montenegro, the October 2000 revolution brought the downfall of the regime of Milosevic, while the passing away of Tudjman in 1999 allowed for the disassembling of the latter's semi-authoritarian regime in Croatia. Essentially, this was the time point of real transition to democracy.

Today's governing elites do not reach the point of establishing a post-authoritarian regime in the manner of Milosevic or Tudjman. Semi-authoritarian legacies still survive in the WBs, particularly in the realms of citizen-administration relations and the secret services' involvement in national politics. Yet, pressures from international organizations, such as the European Commission or the Council of Europe, to streamline democracy in the WBs, the prevalent anti-authoritarian "Zeitgeist", and periodic, albeit not always effective, resistance on the part of some civic associations and NGOs do not

allow governing elites to pass a certain threshold of de-democratization, beyond which even the bare essentials of liberal democracy would vanish. In the above context and under the noted pressures, the aforementioned governing elites do not go all the way and abolish democracy.

However, governing elites are capable to employ an array of means of political domination within a democratic context, i.e., within a regime characterized by elections, a multi-party system, and the exercise of basic, albeit periodically trimmed, political freedoms. This range of means includes mismanaging and sidetracking the function of democratic institutions, such as the parliament; benefiting from 'grey areas' of political and economic interaction which have remained unregulated, such as, for example, public procurement; creating or exploiting loopholes in legislation to win disproportionate economic benefits; and getting away with all this, as control mechanisms which should have sanctioned such behaviour do not exist or are beforehand neutralized by the very same interests which misuse democracy.

Examples of lacking mechanisms are control mechanisms such as, for instance, independent regulatory authorities, an autonomous and skilled judiciary, and a professional civil service. Such mechanisms, if available, may have been able to check political party financing or unwarranted influence exerted by a businessman over a state agency in order to have an inquiry about corruption aborted or unbound activism of national secret services which often goes overboard.

## **VII. The wider socio-economic context of democracy's backsliding in Western Balkans**

Naturally, one should put the behaviour of such governing elites and the noted absence of control mechanisms in a wider socio-economic context. Other types of elites and social groups should be factored in



the analysis of how and why democracy does not work in WBs today and why asymmetries of political power have become pervasive. The wider context is an economic environment of unrestrained, if not wild, capitalism and also an ideological environment deplete of long-term political visions.

### *The socio-economic context*

To start with, completely unrestrained national and local business interests in conjunction with corruption-happy governing elites have a corrosive impact on WB democracies. In the first decades of the twenty first century, capitalism may seem untamed in many parts of the world, but is clearly out of control in WBs. Owing to pressures from the EU (Elbasani 2013), the introduction of market regulation and regulatory authorities have only inched their way into the region's capitalist economies.

Yet, more importantly, at the same time business corporations from the wider region engulfing the WBs, i.e., from Germany, Italy, Austria and Greece, have early on established their own distinct beachheads in the post-socialist national markets of the Western Balkans. Then, corporations gradually dominated whole sectors, such as banking and telecommunications. Foreign interests have benefited from and contributed to the formation of the wild, almost completely unregulated variety of capitalism of the WBs (Bartlett 2007).

To be sure, there is a corrosive impact of capitalism on the functioning of advanced democracies too. For instance, American democracy is disproportionately influenced by the size of donations of businessmen to potential candidates for the US presidency. Financial mishandling has also plagued the governing parties of major European democracies, as the scandal over the finances of the Germany's Christian Democratic Union (CDU) party in the early 1990s clearly showed.

However, the type of capitalism predominating in WBs often allows the war of all against all, the devouring of whole business sectors by one business conglomerate and the moulding of labour relations at will, in the context of high unemployment rates, and flourishing black markets which state authorities just watch grow, incapable or reluctant to intervene. In other words, it is problematic to call the economies under study free market economies, as market institutions, such as banks and authorities overseeing commercial activities, often are under government influence. Further on, private enterprises may be competing with large state-owned enterprises. In case of law violations private enterprises are not necessarily able to find protection by appealing to the rule of law, as law enforcing institutions are heavily influenced by the government too. In brief, the economic context is that of a heavily distorted type of capitalism, bounded by constraints put to it by a governing elite more certain about its own self-serving business plans than about plans for the economic development of its country.

In this context, responsibilities for bending the rules of democratic game are not evenly distributed among different social actors. The latter include governing elites, business elites, relatively well-protected insider groups, outsider groups and socially marginalized groups. Certain elites and groups are far more powerful than other ones. This is particularly true for well-placed business elites, connected to governing elites, which win public tenders in the construction and energy sectors (e.g., in FYR Macedonia) or benefit from privatizations of state-owned assets (e.g., in the Montenegrin coast, on the Adriatic).

Powerful elites are few and mostly recognizable, but power and resources are not exclusively distributed among a few elites. In addition, certain groups, such as employees of state-owned enterprises or war veterans, enjoy access to a disproportionate share of resources. By

contrast, there are other groups, such as labour market outsiders and minorities, which are completely prevented from accessing even their fair share of economic and welfare resources.

### *The ideological context*

Regarding the ideological context, in WBs there is a lack of home-grown political vision of the future among political elites. Such vision, if it exists, is imported from abroad and consists of a repertoire of repeating the themes of Europeanization and modernization in a ritual-like manner. Elites in WBs cannot fall back to (the by now defunct) state socialist ideology of the pre-1989 period.

Governing elites in particular are pulled towards opposite directions. They are pulled, first, by pressures from below, often rekindled by mass media, to subscribe to nationalist, populist and anti-liberal projects and, second, by pressures by the EU and International Financial Institutions (IFIs) to adopt recognizable liberal democratic and pro-market policies. Thus, WB elites stand at the crossroads of a forgettable past and an uncertain future of integration into the EU.

The latter prospect has been harmed by the commitment of Jean-Claude Juncker, the President of the European Commission, to put European enlargement on hold for at least five years (Juncker's speech to the European Parliament, 14 July 2014). The integration of WBs into the EU has also been damaged by the propensity of WB governing elites to oscillate between embarking on the road to Europe and alighting from EU's slowly moving carriage at unpredictable stops. For example, in their publicly expressed opinions, WB elites span the whole range from xenophobic, nationalist and populist discourse all the way to pro-EU rhetoric.

Typical examples are, first, the shift of a foremost nationalist Serb

politician and former cadre of the Milosevic regime, Tomislav Nikolic, to a pro-EU stance after splitting from the ultra-nationalist Serb Radical Party and launching his Progressive Party (SNS) in 2008. This was a pro-European shift which was later curbed by the SNS government's repeated overtures to the Russian President Putin at moments of tension between Russia and the EU in 2014-2015. A second example is the incorporation of aspects of the nationalist agenda in the electoral campaigns of Sali Berishsa (Democratic Party) and Edi Rama (Socialist Party) in the Albanian parliamentary elections of 2013.

The protagonist's role which unreconstructed populists/nationalists still have in WB domestic politics, such as Milorad Dodik in Republika Srpska, Arben Kurti in Kosovo and Nikola Gruevski in FYR Macedonia, is telling of a wider tendency setting WB democracies apart from the rest of European democracies.

Admittedly populism has started becoming a pan-European phenomenon (Kriesi and Pappas 2016). Moreover, elites of EU Member-States manage economic problems in a disturbing and problematic fashion, by mixing large doses of neoliberalism with what is left of a skeletal European Social Model. European elites also mishandle human rights and security issues, as they are unable to strike a balance between cosmopolitanism and defensive measures against refugees and immigrants or a balance between freedoms and counter-terrorism. Yet, among the elites of WB democracies there is an even more problematic situation, reflected in these elites' resorting to worn-out ideologies (e.g., nationalism, populism); lacking of political vision how to steer their countries; and capturing policy sectors with the help of favoured businessmen.

In sum, it is not enough for an analysis of democratic regimes in WBs to pinpoint the unsatisfactory performance of democracy in abstract terms or even to accurately measure pathologies, such as corruption,

organized crime, or restrictions in freedom of expression. One needs to become more specific about how and why the quality of democracy deteriorates in WBs, in the aforementioned socio-economic and ideological context.

Among various means which practitioners of democratic backsliding use today, three stand out, namely, clientelism, populism, and corruption.

### **VIII. An inventory of clientelist, populist and corruption-based means of political domination in today's Western Balkans (WBs)**

One has to use a multi-focused analytical lens in order to explore the variable instances in which WB democracies fail or back slide. A first step towards this direction would be to construct an inventory of populist, clientelist and corrupt practices of elites in WBs and indicate possible ways in which they are interconnected.

In this section of the paper, such interconnected aspects are discussed in a sequence that may contribute to the understanding of how one problem leads to another. Causal connections and the flow of the argument emerge, as one goes from the first to the seventh (and last) of the following aspects.

*First*, the phenomenon of policy capture (Hellman, Jones and Kaufmann 2000, Ganev 2007) is understood here as an aspect of political clientelism and rampant corruption too. Governing elites distribute spoils, such as lucrative niches of a certain market sector, to preferred businessmen, and, separately, also hand out social transfers to favoured population groups. Albeit present also in advanced democracies, policy capture has assumed immense proportions in WBs, to the point that it appears natural and unavoidable. Thus, in the WBs the

mass media sector is controlled by private media owners as well as governments; the energy sector is controlled by national and foreign business interests as well as governments (family members or business associates of government ministers); environmental policies are deflected by environment-polluting industrial interests; and social insurance and pension policies are heavily influenced by insiders of the labour market and selected relatively privileged groups, such as war veterans in Bosnia-Herzegovina.

*Second*, policy capture is directly related to the obvious imbalance of powers in WB democracies. This imbalance is a typical characteristic of populism in power, i.e., of the way populists rule after winning elections. While since the early 20th century there has been in all advanced democracies a discernible tendency of the “executive branch of government” to overshadow the other two “branches”, namely the legislative and the judicial, in WBs there is a much more pronounced relative degradation of the legislature vis-à-vis the government and a discernible subservience of the judiciary to the changing wishes of the government. The government-of-the-day functions almost uncontrolled by the parliament and the justice system.

The disproportionate strengthening of the government, which has almost permanently upset the required balance with the legislature and the judiciary, is probably related to two types of pressures which set WB democracies apart from the rest of European democracies: first, periodic challenges to national sovereignty (Post-Dayton Bosnia-Herzegovina, Serbia’s strained and then disconnected cohabitation with Montenegro and Kosovo, ethnic conflict in FYR Macedonia); and, second, repeated deep economic crises, sometimes related to unresolved national sovereignty issues and to the spilling over into the Balkans of international economic setbacks (e.g., the global financial crisis which has affected the region since 2008).

*Third*, the nearly unchallenged dominance which the government exerts over the judiciary and the legislature in WB is facilitated by anaemic political participation from below. This is another manifestation of the way populism structures state-society relations, once populism acquires political power: populists never favour political participation from below, unless they can control it. Thus, for populists an independent civil society is an unwanted challenge which should be kept at bay.

Of course, the weakness of civil society in Eastern Europe after 1989 (Howard 2003) and in particular in WBs has not been the result of populism. Civil society may have become weaker over time in advanced democracies, but it has never taken off the ground in WBs after transition to democracy and the end of wars, such as the War in Bosnia-Herzegovina (1992-1995).

*Fourth*, populism has played an actively negative role in political participation. The latter has over time become anaemic because the public sphere has proven sterile and dominated by large business interests combined by government-engineered restrictions in mass media pluralism. The press and electronic media are owned by moguls closely associated with successive governments. Moreover, today governments influence, if not fully control, the distribution of information and interpretation of political and economic events. Governments achieve this by opening and closing the taps of state funds which are to be channelled to cash-starved mass media. A principle mechanism through which governments accomplish such control is the selective placement of advertisements of policy measures of government and services or goods of state owned enterprises in selected media outlets.

*Fifth*, populism adopts and enforces a particular strategy towards forces of political opposition, such as political parties not participating in populist-led coalition governments. Given the aforementioned weak-

ness of civil society and mass media opposition to state authorities, it is no surprise that parliamentary opposition to elected governments is generally weak in Western Balkans. Opposition parties are rarely capable of effectively checking on the government through parliamentary control over the government's deeds.

Further on, opposition parties rarely mount considerable pressure on the government through typical and atypical political participation means, such as mass rallies and strikes. The rallies organized by the Socialist Party against the Berisha government in 2009-2011 in Albania, by the SNS party against the DS-led government of Boris Tadic in 2010-2011 in Serbia or by the Vetevedosje movement (and later on the political party by the same name) in Kosovo are notable and covered by the media because they are an exception, not the rule.

One would expect that the weakness of opposition is the result of electoral systems, favouring the formation of strong single-party governments. However, in most WB democracies, coalition rather than single-party majority governments are in place. Electoral systems are variations of proportional representation (PR) which would normally facilitate the participation of multiple parties in parliament, opposing the government.

Parliamentary opposition is weak, not because of the type of electoral system, but because of the marginalization of civil society. Excluding humanitarian NGOs, often supported by foreign sponsors, civil society organizations have all but been suffocated by governing elites. There is a very thin layer of such organizations able to mobilize against state authorities, particularly in Serbia and Montenegro, while there is some dynamism in this sector in FYR Macedonia, as protests against the Gruevski government in 2015 showed. The parliamentary opposition's weakness is also owed to the lack of a clear political agenda which would be alternative to the agenda of governing parties.



Further on, opposition parties suffer from the problems evident in all political parties of post-communist WBs. Researching opposition parties in WBs, one stumbles upon a personalist type of party organization, enhancing the discriminatory power of the party leader over party organs and diminishing the chances to draw on collective resources (e.g., local party organizations) and on technical expertise. Moreover, there is low trust of citizens in political parties in general (Pasos project 2016), as there is a widespread conception of politicians as completely untrustworthy. One cannot avoid the impression that in WBs certain opposition leaders, upon coming to power, easily slide into similar shady practices as their predecessors.

*Sixth*, populism can be blamed for imposing a strict diet on democracy, exactly because it is in the nature of populism to distrust and to try to marginalize political institutions and democratic processes other than elections, in a word to suppress pluralism (Muller 2016). In conjunction with the opposition's frequent inability to resist government initiatives, democracy is often limited to formalities, i.e., to provide a rubber stub of government decisions. Today, in all advanced democracies, including those of EU Member-States, there is a disconcerting gap between formal and substantive democracy, i.e., between establishing the rules of democratic game and keeping them. There is also a gap between acknowledging democratic values, such as freedom of expression and tolerance, and truly adhering to them.

Yet, in WB democracies one encounters a far more serious gap. This is in fact an abysmal gap between the surface and substance of democratic life. The gap is mostly owed to the unrestrained authority exercised by governing elites and the untamed influence of business elites, mentioned in the first item of this inventory.

Democratic institutions, such as regulatory authorities independent of the government, are imported from abroad but are actually ignored.

An example is the Berisha government's indifference, if not hostility, towards the proper functioning of the Elections Committee in the Albanian national elections of 2013. Moreover, governments change the rules according to which appointments to the judiciary are made. For instance, in Serbia the coalition government led by the Democratic Party dismissed all Serbian judges in 2007 and selected their replacements, but later on, in 2013-2014, the coalition government led by the Progressive Party (SNS) re-instated the formerly dismissed judges.

What is more, governments of the region, pressed by the international community, have recently engaged in a fight against corruption which, regardless of its sincerity and efficiency, allows for enhancing the government's image and redistributing the spoils of power. Relevant examples are the long process of prosecuting since 2012 of Miroslav Miskovic and Milan Beko, two businessmen in Serbia who had forged links with governments preceding the Vucic government, and the imprisonment in September 2016 in Montenegro of Svetozar Marovic, the former President of the Union of Serbia and Montenegro (the last Yugoslav state). No one would claim that WB governments should refrain from anti-corruption, but their anti-corruption campaigns should be seen in the light of a long chain of distorted uses of democratic institutions and processes.

*Seventh*, the hostility of practitioners of populism and corruption towards rule of law is a well-known (Dolenec 2013). This is a point one does not need to dwell for long, although it should be argued that the unsatisfactory level of rule of law is the outcome, not the cause, of democracy's backsliding. Indeed, there is no clearer indication of the very large gap between formal adherence to democratic principles and actual betrayal of them and no stronger evidence of the frequent capture of whole policy sectors and the corrosive impact of untamed capitalism on democracy than the deplorable state of rule of law in WB democracies. In WBs the justice system may be manipulated from

above; law enforcement agencies are weak or corrupt; business oligarchs acquire a sense that they are untouchable by the legally competent authorities; and minorities and the powerless categories of the population (e.g., the unemployed) quickly realize that they cannot resort to state authorities to rectify the injustices and discrimination they suffer in social relations and the labour market.

What is the result of the above mentioned seven patterns on the democracy and the state in WBs? It can be deduced from the patterns of this inventory that the state in WBs is very weak. The combined effects of clientelism, populism and corruption have brought whatever state capacity had been available to its knees. In order for democracy to grow, clearly demarcated and largely undisputed national borders, a predictable institutional environment and a minimum of administrative capacity are necessary. Above all, while there is an increasing trend towards the politicization of public bureaucracies around the world (Peters and Pierre 2004), still a minimum of bureaucratic autonomy from political authority is expected and required in contemporary democracies.

These conditions are not met in the WBs. For example, in the cases of Bosnia-Herzegovina, Kosovo and FYR Macedonia issues related to borders and national sovereignty are still open. Moreover, in these and the rest of countries of WBs, civil servants lack the skills to administer economy and society, while state institutions do not function in predictable manner.

State officials cannot regulate or control the market, provide a reasonably level-playing field for market competition, inspect and intervene in labour relations, push organized crime back, restrict the black economy, tax the population and business firms and provide a minimum level of social protection to all.

Strengthening state capacity has been a frequent, if somewhat subdued, aim of post-conflict international initiatives in the region, for example EU's CARDS program in the early 2000s or EU's Instrument of Pre-Accession (IPA) program in the current decade. Yet, it seems that state officials and leading politicians themselves often have as their top priority to find their own preferred business partners in the private sector and enrich themselves. Enhancing state capacity and balancing (instead of misusing) democratic institutions are tasks in which they are least interested.

### **IX.     Sorting out the causes of democracy's backsliding in Western Balkans**

Violations of rule of law, spread of organized crime, state weakness and other such phenomena obviously do not happen by themselves. Somebody engages in law violation, organized crime and neglects the affairs of the state. The observed imbalance of powers in WB democracy and the wild, untampered manner in which capitalism works in the region obviously require a long-time misuse of institutions by those who benefit from the malfunctioning of democracy and the market.

In other words, in analytical terms, the study of agency has to take precedence over the study of structure. In politics, while structures constrain the actors' room from maneuver, eventually it is people acting upon structures and producing ills, for example, weak public administrations and malfunctioning justice systems.

If one is called upon to prioritize some of the aspects mentioned in the above analysis, one should start from the collective actors, business elites and governing elites, who are unwilling or unable to reform the problematic situations noted above. Besides elites, additional collective actors, who have carved out their own protected niches in the

stormy economic conditions prevailing in WB capitalism, are groups of public sector workers, pensioners, war veterans, and others.

Such occupational groups, consisting of labour market and welfare state “insiders”, may be not the same ones in all WB democracies, but benefit from similar situations within each WB country. In a nutshell, they benefit from preferential treatment by state authorities and neglect for “outsiders”, including the unemployed, women and the young as well as ethnic and religious minorities; and, as argued in the main body of this paper, selected privileged elites and occupational groups benefit from the lack of adequate control mechanisms.

Moreover, no other vision seems to prevail among elites except for the business elites’ vision of securing a sizeable share of the market and quick and unrestrained profit-making; and the political elites’ vision of hanging on to power by subscribing to an ideological mix of populism and nationalism.

The business elites’ interests in preserving and enlarging their market share and expanding their profits, on the one hand, and the governing elites’ interest in holding on to power, possibly personally enriching themselves along the way, on the other hand, are the ties that bind WB democracies to the ground, never allowing them to take off to higher levels of performance.

## **X. How populism, clientelism, corruption and anti-corruption feed into each other**

The conditions under which the three explanatory mechanisms, namely populism, clientelism and corruption, evolve in order to produce a backsliding of democracy differ from country to country. It would take a much larger historical and conjunctural analysis of the three countries under study in order to specify how each of the three mech-

anisms actually work. Thus, in what follows, only a tentative sketch of interactions among the three mechanisms is presented.

Governing elites and their social and economic allies do not necessarily plan all the above strategies ahead of time nor do they execute their plans impeccably. Otherwise, they would not have faced even the uneven political opposition which has periodically challenged their power, such as for instance the strong antigovernment protests in Montenegro in October 2015 and in FYR Macedonia in the spring of 2015 and in June 2016. While one cannot speak of a system, linking populism, clientelism and corruption together as means of political domination, there are many ways in which these three means, which result into the backsliding of democracy, feed into each other.

To start with, the clientelist appointments of pro-government personnel to higher- and middle-ranking positions in the central public administration and state-owned enterprises contribute to implementation of populist policies. Such policies usually favour selected categories of the population and social groups which are not necessarily the poorest ones, but are probably the most loyal to the government in terms of their electoral support. Examples of such groups are employees of state-owned enterprises, war veterans and pensioners. Clientelism in the aforementioned quarters of the state apparatus is key to pursuing policies which may be inefficient and irrational, but are beneficial to governing elites in terms of electoral returns.

Clientelistic appointments by the government to entry-level jobs in the public sector may serve as an indication that the governing elites care for their pool of voters, particularly if the aforementioned implementation of populist policies and the hiring of party supporters to the public sector are couched in an anti-elitist political discourse.

The combination of distributing favours through populist policies and

recruitment of supporters to the public sector serves to tie voters to the government in between elections, a strategy useful if the government counts on popular support in order to restrict pluralism in the media sector, a favourite target of populist elites (e.g. in FYR Macedonia), or to undermine independent authorities, such as the Ombudsman or the Personal Data Protection Authority (e.g., in Serbia). The purpose of such a strategy is to decrease any controls on the government, i.e. to block channels of democratic accountability.

The same holds when governing elites need popular support in order to start anti-corruption campaigns, targeted against business people who had collaborated with the previous government or against politicians of the opposition or cadres of NGOs, as it has happened in FYR Macedonia, Montenegro and Serbia.

The strategy to restrict pluralism in the media and to undermine independent administrative and regulatory authorities tails with the propensity of governing elites in the countries under study to tamper with the rules of public procurement in order to award the construction of public works and other projects to their favoured businessmen. If media are few or weak and independent authorities are neutralized, the nexus between governing and business elites can grow and its members prosper.

The same strategy can facilitate the passage of legislation in parliamentary committees and the plenum of the parliament, after control mechanisms are decreased or discredited. Such a lowering of accountability mechanisms proves useful when the government-of-the-day opts to channel state subsidies to favoured occupational groups or to grant loans through state-controlled banks to preferred business groups.

In sum, the free and not necessarily fully planned combination of

strategies of populism, clientelism and corruption gradually transforms the democratically elected government into a near-regime. This may not be a regime of competitive authoritarianism of the sort encountered in former Soviet republics (Levitsky and Way 2010), as the possibility of government overturn through elections still exists. It is however a regime which approximates that model without resorting to blatant oppression.

Obviously, the three patterns of political domination do not feed into each other in the same way. There are differences in the way populism, clientelism and corruption impact on FYR Macedonia, Montenegro and Serbia.

To start with, in Serbia there is more political apathy than Montenegro or FYR Macedonia. Then, one has to take into account the small scale in Montenegro (population 621,000). In this context, where almost everyone personally knows or has met everyone, it is difficult to build bias-proof democratic institutions and meritocratic processes.

On a different vein, as it is well-known, democratic institutions and meritocratic processes do not easily adapt to ethnically-segmented societies, particularly where ethnic conflict is recurrent and acute, as in FYR Macedonia. This is a context obviously different from that of Montenegro and Serbia, where existing ethnic differences have not threatened the very bases of the democratic regime. In other words, national sovereignty has not been a divisive issue and a recurring theme in the domestic politics of Montenegro (at least after 2006), as it has been in FYR Macedonia. And Serbian ethnic problems refer mostly to challenges to Serbian borders rather than the domestic mix and interaction of the Serbian majority and small ethnic minorities residing in Serbia.

On the other hand, populist governments reign supreme in FYR Mac-



edonia (roughly since 2006) and Serbia (since 2012). By contrast, populism is not the primary means of political domination in Montenegro, where one sees rampant populism among parties of the opposition, for example, parties forming the coalition “Democratic Front”, which finished in the second place in the parliamentary elections of 2016.

Further research is necessary in order to substantiate the differing bases or means of political domination in the three countries under study. For the time being, it can only be stated in the form of three varying research hypotheses that the bases of power in Serbia, are related to populism, clientelism and corruption; in FYR Macedonia, to populism and corruption; and in Montenegro, to clientelism and corruption.

## **XI. Conclusions: Putting the pieces of the puzzle together**

The flow of this paper’s argument is the following: business elites have orchestrated and governing elites have tolerated the capture of public policy sectors by business conglomerates. The reverse also may hold true, namely, governing elites orchestrating the capture of policy sectors through forging alliances with selected businessmen. This has been accomplished by creating a set of deficient democratic institutions and adapting them over time to changing international and domestic circumstances. The same holds for policy capture by relatively privileged occupational groups of insiders, which of course have fewer assets and lower incomes than business groups.

On their way up to enrichment and reproduction of privileged status, elites and occupational groups do not encounter any obstacles usually found in other European democracies. Typically, such pro-democratic obstacles are a series of control mechanisms, including the parliament and the judiciary, civil society, the press and mass media and a public

bureaucracy functioning with a minimum of administrative skill and autonomy from the government.

In brief, policy capture would not have been possible without first achieving and consolidating the supremacy of the government over the other two powers, namely the legislature and the judiciary. This vital for contemporary democracies balance of powers has been destroyed in WBs probably to an extent larger than in other European democracies. This imbalance cannot be easily rectified, as civil society and parliamentary opposition remain weak, while media pluralism is restricted in WB democracies.

The combination of the strength of governing and business elites, capable of misusing democratic institutions, on the one hand, with the weakness of civil society and parliamentary opposition as well as restrictions on the media, on the other hand, depress the level of quality of democracy and negatively affect state capacities. How weak the latter are is obvious in the misapplication of legislated policy measures, the policy implementation gap, unpredictable law enforcement, uneven application of rule of law, and the spread of corruption. All this amounts to a larger than usual gap between formal and substantive democracy, which albeit known in other democracies, is clearly most obvious in WB democracies.

This gap may take a long time to close. Defending democracy, which is currently slipping away or has already slipped away from WB countries, would require both domestic mobilization of pro-democratic forces of civil society and any pro-democratic segments of each country's elites, and international pressure and support, couched in some form of external conditionality, more successful than the current EU's conditionality (Elbasani 2013).

To sum up, democracy is defective and its quality low in WBs primar-

ily because of the uses, i.e., the misuses, to which collective actors, namely business and governing elites and groups of insiders, have put democratic institutions. In fact, what has prevailed over time is a repertoire of combinations of clientelism, populism and corruption, which this paper has attempted to highlight and interpret. Democracy can still defend itself, but it cannot do it alone.

A parallel, long term political endeavour, “from below” and “from above”, would be required for democracy in the Western Balkans to stand any chance to defend itself: first, a concerted effort to strengthen the pro-democratic forces in the arena of civil society; and, second, the formation of a group of pro-democratic reformers, among political, administrative and mass media elites, who would be determined to fight for re-balancing democratic institutions in the affected countries and for establishing a minimum of transparency and accountability, which are presently lacking.

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