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From electoral democracy to polyarchy: participation and accountability in Serbia

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Abstract

After complicated democratic transition, Serbia is today considered a democracy. However, it is still closer to electoral democracy than full polyarchy. Among the biggest problems of Serbian democracy are lack of both citizens’ participation and accountability of elected officials. This paper analyzes two projects carried out by civil society organizations trying to deal with these issues by utilizing ICTs. Key finding is that there are some positive results, and ICTs can indeed provide citizens and civil society with tools to influence officials and prompt them to be more responsive and more accountable. But to be successful such projects need strong backing in terms of finances, infrastructure and visibility in the media in order to achieve full potential. As it is, these projects do not fit the narrow definition of democratic innovation, but they are a step in right direction.

1. Introduction

For the most part of history, a simple dichotomy between democracies and non-democracies was sufficient for classification purposes. Both political theory and conventional wisdom deemed representative government, coupled with (more or less) general suffrage, to be the key criteria of whether a country is a democracy or not. Democratization was also seen as a slow social and political process, resulting in appropriate institutions of democratic political system. However, the second half of the twentieth century had witnessed second and third waves of democratization (Huntington 2012), which included failed transitions, extremely fast transitions and unfinished transitions, calling for more nuanced criteria and improvement in measurement methodology. Current body of literature (as I will show in the following section) usually places countries within the spectrum ranging from non-democracies to full polyarchies, with various stages, such as electoral democracy, in between.

In this paper I argue that Serbia still cannot be considered a full polyarchy. There are two areas where shortcomings of democracy in Serbia are especially visible: citizen participation and accountability of elected officials. I will focus on two experimental projects that aim to mitigate
these shortcomings. Carried out by non-governmental organizations, these projects are trying to provide channel for regular two-way communication between citizens and their representatives in local assemblies and national Parliament. Utilizing information technologies such as Internet, “Open Parliament” project is encouraging people to ask members of Parliament questions, but also trying to raise awareness on the side of elected officials about the need to answer these questions in timely and comprehensive manner, in addition to their other activities (increasing transparency through making transcripts of parliamentary sessions available, providing statistics and information about ways to influence parliamentary debates, such as petitions etc.). Project “Ask your representative” implements the same idea on the local level, providing communication channel between citizens and their representatives in city of Kraljevo local assembly.

In the following sections I will present review of literature on measuring democracy, as well as participation an accountability. Then I intend to outline some specific circumstances and characteristics of Serbian politics and society today, providing the context for analyzed projects. Using document analysis as well as in-depth interviews with persons managing the projects, I will then provide description of these project and asses their results. Finally, I will draw some conclusions based on my findings, and try to answer the question whether such projects can and should be considered in the framework of democratic innovation.

2. Measuring democracy and its dimensions

In his well known work, Huntington (2012) argues that, by the 1990s, three waves of democratization could be distinguished, with reverse waves in between. The first wave was long and gradual. Democratization was conventionally seen as a all-encompassing political, but also economical and social process.¹ This eventually resulted in establishment of institutions (elections, parliaments), and the presence of these very institutions was considered indicative for democracy. Simply enough, those countries in which elections for parliament were held were democracies, others were not. Even in mid-1990s Held (1995) insists that elections are

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¹ One famous example of such view is the classical study of Barrington Moore (1974). Although he argues that bourgeois revolution was necessary for establishing the first modern democracies, he describes in detail the economical and social changes that had lead to those revolutions.
more or less sole determinant of democracy. Democratization was at the time usually seen as the process of ever expanding number of people with the right to vote, until general suffrage was achieved. However, second and third waves of democratization had challenged this paradigm. Many of countries that have made democratic transition in the second wave, reverted to non-democratic forms of government during the following reverse wave. Democratic transitions of the third wave were extremely fast and more or less strictly political processes. Furthermore, since World War II, democracy is increasingly seen as the only acceptable legitimacy formula. This zeitgeist in favor of democracy had prompted many authoritarian regimes to try to feign democratic institutions and keep the democratic facade. The institutional approach obviously needed to be reevaluated and measuring democracy became focus of many studies, resulting in various approaches and models (see, for example Bollen 1990).

Among the first attempts to rank countries by the quality of their democracy is famous Dahl’s study (1973). Still relying on previous research, he had also focused on institutions as a starting point. Building on Dahl’s work, Coppedge and Reinicke (1990) had developed a scale based on a number of indicators and classified countries in ten descriptive categories, from, full polyarchies to non-polyarchies. Following the shift from “transitology” to “consolidology” in democratization studies, a distinction between “procedural” and “substantive” democracy, used to underscore shortcomings of assessment of a country’s democracy based exclusively on institutional criteria, became usual in scholarly literature (see, for example, Pridham & Lewis 1996). Designators such as “electoral democracy” (Diamond 1996) are now commonly used to describe consolidated democracies that still lack some important features, especially in the domain of political culture, which prevent them from becoming polyarchies. It is now recognized that institutional requirements are enough for country to be considered an electoral democracy, but also that some authoritarian regimes maintain elements of political competition, elections and multiparty systems, thus constituting “pseudodemocracies” or

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2 According to this scale, then still whole and socialist Yugoslavia, in which Serbia was a federal unit at the time (1985), was in the group of countries where “no meaningful elections were held, only non-political organizations are allowed to be independent, some public dissent is suppressed, and alternatives to the official media are very limited” (Coppedge & Reinicke 1990, p.65)
hybrid regimes. Relationship between various measurement systems is further complicated by somewhat elusive nature of some features of democracy, such as participation, transparency and accountability. It is precisely these features that are underdeveloped in Serbian democracy today.

3. Serbia in 21st century: complicated transition, features of electoral system and Internet use

3.1. Serbian democratic transition

Problems pertaining to measuring overall quality as well as various aspect of democracy are further complicated by some specific circumstances of Serbian democratic transition. Even the timeframe of democratic transition in Serbia is a somewhat contested issue. Following adoption of the new Constitution on September 28th, first multiparty elections were held on December 9th 1990. However, even though all institutions for electoral democracy were present, and elections were held regularly throughout a ten year period, some authors claim that this was not the true beginning of democratization, or alternatively, that it was a case of failed transition (Miller 1997). It may be fair to say that in the last decade of twentieth century Serbia was “electoral authoritarianism”, where, according to Diamond (2002), “While an opposition victory is not impossible [...] it requires a level of opposition mobilization, unity, skill, and heroism far beyond what would normally be required for victory in a democracy.” Alternatively, it could be argued that it was a delegative, but not a representative democracy (O'Donell 1994).

Since the fall of Milošević’s regime in 2000, even without any significant change of institutional arrangements, Serbian democracy was rapidly consolidated, as Linz and Stepan (1996) put it, behaviorally – from that point to now, there were no actors actively trying to overthrow democracy. However, citizens’ participation is still relatively low. The most important symptom of this are vote turnouts – for parliamentary elections it was constantly below 60%, dropping to only 53.09% for the latest elections in 2014 (Republička izborna komisija [Republic electoral commission] 2014; 2012c; 2008). Figures are similar, although slightly higher, for presidential elections (Republička izborna komisija [Republic electoral commission] 2012a; 2012b). Furthermore, opportunities for citizens to participate in legislative and policy decisions outside of elections are few and rare. For example, it has become common practice for bills to be
passed by use of urgent procedure, therefore providing no time for substantial public debate. Another problem is relative lack of transparency and accountability.

Interestingly, reports of international organizations and researchers differ significantly in their assessment of quality of Serbian democracy. For example, while Freedom House consistently ranks Serbia as a free country ever since 2007, or since 2003 if rankings for Federal Republic of Yugoslavia and State Union of Serbia and Montenegro are included (for ranking methodology see Freedom House 2015), World Bank rankings are much less favorable. According to data from Worldwide Governance Indicators database (2014), Voice and accountability dimension which “captures perceptions of the extent to which a country's citizens are able to participate in selecting their government, as well as freedom of expression, freedom of association, and a free media” (Kaufmann et al. 2010) for Serbia in 2013 (last year for which data are available) has estimated value of 0.29 on the scale from -2.5 to 2.5, which translates to 56.87 percentile rank. The Economist Intelligence Unit’s Democracy index (2015) places Serbia among “flawed democracies”, with rank of 56 and overall score of 6.71 (on 1-10 scale). More importantly, its scores in categories Political participation and Political culture are 6.67 and 5.00, respectively.

2.2. Partitocracy

Another peculiar feature of Serbian democracy ever since dismantling of one-party system is extreme fragmentation of political scene. Law on political organizations passed in 1990 allowed founding and registration of political parties, prescribing very easy and cheap procedure and minimal membership of only one hundred. By the time new legislation was adopted in 2009, making the process more difficult and demanding (among other things, minimal membership is now 10,000 except for parties of ethnic minorities), there were about 600 registered political parties in Serbia. Although most of these parties were inactive and without real influence in political sphere, number of active political parties was also quite high. For example, in national elections held in 2008, 22 electoral list, most of which were party coalitions, competed for 250 seats in National Assembly. The number of political parties has decreased after 2009: according to latest available data from Ministry of Public Administration and Local Self-Government, which is responsible for keeping the Registry of Political Parties, number of registered political
parties is just short of one hundred. Decrease in number of registered parties did not, however, significantly affect intensity of political competition, since in the latest national elections held in 2014 there were 19 competing electoral list.

But main problems Serbian democracy is facing may be related to electoral system. For the first multiparty elections (1990) majority system was used, and rightfully criticized by the opposition for skewing the results in favor of the ruling Socialist Party of Serbia (successor of League of Communists of Serbia). All subsequent elections were held by proportional system, with seats distributed according to D'Hondt method, and threshold set at 5% of votes. Number of electoral districts varied – there were nine for elections held in 1992 and 1993 and 29 in 1997, but for all elections since 2000 the country was a single electoral district. Another significant change in legislation was made in 2007, when threshold was revoked for parties of ethnic minorities, in order to promote their participation in political process. The same system is applied for local elections as well.

A benevolent way to look at electoral system changes and their outcomes would be in terms of representation – with every change in legislation, results of the elections should have been more representative, and distribution of seats in the Parliament should have been closer to voter’s expressed preferences, thus deepening and improving some aspects of democracy in Serbia. After all, there are scholars, most notable among them being Lijphart (1991; 1999; see also Doorenspleet & Pellikaan 2013) who had successfully argued that proportional electoral system improves the quality and performance of democracy.

In Serbia, however, proportional electoral system coupled with extremely fragmented party system had different results. Major outcome of the electoral system reform was that the power of political parties on both national and local levels was dramatically increased. The country, in effect, became a partitocracy.

The term partitocracy was used since 1960s to denote peculiar state of affairs in Italian politics in period between 1945 and 1992, when political parties penetrated into all pores of politics.

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3 As of February 19th 2015, there are 101 registered parties, but that number includes five parties that are in the meantime erased (From the Registry of political parties 2015).

4 For more detailed account of the evolution of Serbian electoral system see The Designing of Serbia’s Electoral System (Jovanović 2011)
and society to such extent that they became almost indistinguishable from them. Although there are various definitions of partitocracy, most of them identify clientelism and spoils system as its crucial characteristics (Foot 2014). Belgium was usually invoked as a second example. In their paper, Fiers, Vanlagenakker and Inglese (2007) argue that Belgium was a partitocracy because parties dominate political decision-making process, they play a most important institutional role and use public resources for clientelism and patronage. Same is the case with Serbia, and many of their observations could be directly applied to Serbian political scene. Practically every position in public service (including public companies) in Serbia is held by party members, and, given the country’s quite dire economic situation, a membership card of the political party is frequently seen as a smart career move – increasing chances for one’s employment in public sector. Therefore, political parties do not dominate only political, but also significant part of economic life in the country.

Such situation has profound effects on both accountability of the government and citizens’ participation. On one hand, voters have lost their trust in both political parties and their own capability to influence political decisions. Proportional system allows voters to decide which parties (or coalitions, or citizen groups) will be in the Parliament, but puts the parties in key position when it comes to political decisions – including who will be the MPs on both national and local level and how the government will be formed. Citizens are voting for party lists, and have no control over who will end up representing them in Parliament or local assembly, and on the other hand, elected MPs represent parties, not citizens, and their loyalties and responsibilities are therefore primarily to parties and not to voters. They are not inclined, hence, to engage in direct communication with their constituency once they are elected. Although formal influence of political parties was somewhat reduced after Constitutional Court rulings in 2010 and 2011, and subsequent change in legislation, they still dominate the electoral process and political scene.

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5 A recent survey shows that citizens perceive political parties as the most corrupt segment of the society (UNDP & CESID 2013).
6 Before it was ruled unconstitutional in 2010, parties were able to activate resignation letters written beforehand by representatives on both local and national level, if they were not acting in line with party instructions, or if they left the party. Until 2011 parties were not even legally obliged to distribute parliament seats in order nominated on their electoral lists.
3.3 Use of ICTs in Serbia

Partitocracy may be the key reason for low levels of citizens’ participation and lack of accountability on the part of elected representatives, the very issues that projects to be described in the following section are trying to tackle. Their instrument of choice is information and communication technology, specifically Internet. In order to assess the potential of said projects, it is necessary to review background information on Internet use in Serbia. In other words, one of the important questions is whether it is sensible to rely on Internet-based communication as a tool for engaging both citizens and their elected representatives.

According to the latest survey conducted by Statistical Office of the Republic of Serbia (2014), 62.8% of households have Internet connection, and for over half of all households this means broadband connection. Urban areas have more regular Internet users compared to rural parts of the country. The survey found that all of the university students use Internet regularly, and most of the Internet users (84.6%) spend some time online almost every day. However, only 37.4% of Internet users make use of e-government services, mostly to collect information and download forms.\textsuperscript{7} Situation is different for companies (probably because most of the tax-related services are now done online), where 92% of companies used e-government services, for information gathering (87.8%), downloading forms (83.4%) and sending completed forms (72.6%). As expected, most of regular Internet users come from younger segment of population (16-24 years), so in theory, Internet could be proper channel of communication for this group. However, another survey about political activism of high-school students coming of age (Jović et al. 2014) shows that only 24.8% of them is interested in politics, so it is dubious whether this population can be reached and engaged in political participation by means of ICTs.

In conclusion, Internet connectivity in Serbia is relatively high, but citizens still seem not to be quite comfortable with using online tools for communication with the state and its institutions. It appears that most of online political activities is done through social media, primarily

\textsuperscript{7} Interestingly, number of users who send completed forms via Internet is barely above half (13.1%) of those who download them (20.6%).
Facebook and Twitter, but so far there are no comprehensive studies of the extent and content of online political activism in Serbia.

4. Asking questions to representatives – and getting the answers

Lack of transparency and, specifically, communication between citizens and representatives came to focus of civil society during 2012 and 2013, resulting in several similar projects. In this paper I shall present two of them, which share the same initial assumptions and methods: “Ask MPs”, a part of the “Open parliament” project, and “Ask your representative” from Kraljevo. Basic idea behind both projects was to establish a direct channel of communication between citizens and their elected representatives. This is done through user friendly online form for questions, which are then filtered to eliminate insults, rude questions, and messages that are not in question form. Questions are then forwarded to representatives, and once they respond, every answer is redirected back to the requester. Both projects are implemented by civil society organizations (CRTA\(^8\) from Belgrade and Prodor\(^9\) from Kraljevo), and financially supported by international donors.

4.1 Ask MPs\(^{10}\)

The project entered the operational phase in January 2012, when Open Parliament website was launched. Section “Ask MPs” is only one among services this website provides, in addition to statistics, searchable session transcripts, educational materials about legislative procedure etc. Questions for MPs are filtered, in order to eliminate spam, insults, questions regarding private life of MPs etc. In the period after the latest elections (2014), up to 50% of all inquiries is dismissed for these reasons.\(^{11}\) It is important to note that similar form for questions does exist on Parliaments official website, but, according to information provided by Parliament’s press service, the questions are automatically forwarded to MPs emails, and there are no archives or data about them, so it is impossible to know to what extent both citizens and MPs use the system. In the interview, implementers of “Ask MPs” project have noted that awareness about

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\(^8\) http://www.crta.rs/

\(^9\) http://prodor.org/

\(^10\) http://www.otvoreniparlament.rs/pitajte-poslanike/

\(^11\) Lots of questions are eliminated not for being offensive, but because they were asking for favors, the most frequent being “can you find me a job” – another illustration of clientelism stemming from partitocracy.
importance of Internet communication is steadily raising among MPs, and data illustrate this trend. Among MPs serving in Parliament from 2008 to 2012, only 64 out of 250 had their e-mail addresses listed on the Parliament website. By the end of 2012, this number has grown to over 200, and currently, 243 MPs can be contacted this way. Staff members implementing “Ask MPs” have also reported that there are still some MPs who claim not to use e-mail at all. Since “Open parliament” project main interest is in transparency, “Ask MPs” insists upon open communication on both ends: full name of person or organization asking the question is required, and there is profile page for every MP, where archives of questions and answers (if there are any) are available.

Since inception of the project, a total of 753 question was forwarded to MPs, and 25% of them were answered. Out of 471 questions for MPs currently in the Parliament, 97 were answered (20.5%). The organization behind the project maintains regular communication with MPs, sending them personalized letters, and occasionally reminding them how many questions they did not answer. This has proven to be a successful tactics – the last time it was done, number of answered question jumped from 1 in 5 to 1 in 3. Media attention also helps, creating a sort of competitive atmosphere among the MPs. In this particular case, conventional wisdom that transparency leads to accountability, frequently by use of some form of public shaming, does seem to be correct (for more nuanced discussion on this topic, see Hood 2010; Fox 2007). One of the observations from project managers was that those MPs who are generally more active online (for example on Twitter) tend to answer the questions more frequently. Key rationale, on the part of implementers, for utilizing potentials of Internet communication is that it is easy, fast and cheap, thus allowing citizens from all parts of Serbia to directly communicate with MPs. There are, of course, other communication channels, including local MP offices, but they can entail significant amount of bureaucracy, and be inconvenient for people who don’t live near those offices.

In addition to regular activities, online platform was also used for two major civil society campaigns, “Rights for Moms” and “Convention on violence against women”, which were very successful. These campaigns, as well as archive of questions, show that although “Ask MPs” is
designed to be useful for both CSOs and private citizens, CSOs are, for now, better at utilizing it for public advocacy and lobbying.

4.2 Ask your representative

Online question form for project “Ask your representative” became operational in June 2013. It was designed as a part of the larger public advocacy project aiming to improve communication between representatives in local assembly and citizens. Project had also tried to engage citizens and representatives through other means and channels, such as “mailboxes” in local communities etc.

Unlike national Parliament, official website of Kraljevo does not have contact form for representatives in city assembly, nor list of their e-mail addresses. Possibility to send questions and comments does exist, but they can be directed only to mayor, city assembly speaker or city assembly secretary. Through “Ask your representative” web page citizens can ask questions to any representative, and they are forwarded to them, after screening, electronically or in print, according to each representative’s preferences. Questions are filtered by same criteria as in “Ask MPs” project.

At the beginning of the project, 5-6 questions were received through online form monthly, numbers rising to 20-30 a month during the campaign in the local media. However, couple of months after the campaign ended, number of questions was reduced nearly to zero. Total number of questions so far is over 120. Their experience is that representatives are generally willing to cooperate, and about half of the questions were answered. It is important to note that CSOs behind this project had already, through other actions and projects over the years, established the relationship of mutual trust with local government. Again, during interviews, implementers emphasized the need for permanent engagement with both sides.

5. Conclusions

Several lessons can be learned from experience of these two projects. Perhaps the first thing that stands out is that, although there are many similarities in intent, implementation and outcome of projects, some things play out differently on local and national level. For example,

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12 http://prodor.org/pitaj-odbornika
in both cases, online communication was only par of wider outreach to citizens and representatives, but challenges the projects faced were quite different. On national level, Internet communication was supposed to remedy lack (and relatively high cost) of other opportunities for communication, especially for people living outside the capital or cities where MPs’ offices are located. Locally, however, large parts of population live outside urban areas and either have no Internet access or are not inclined to use it for communication.

During projects’ implementation, it was indeed visible that proportional electoral system and partitocracy do impede communication between citizens and representatives. Most common question the implementers encountered in their conversations with citizens was “but who represents me/us?”, meaning usually “our town”, or “our local community”. Due to features of the electoral system, citizens were frequently confused about the right address for their questions or complaints – they were not sure to which MP or representative in local assembly they should direct their questions. This issue proved to be somewhat easier to resolve when dealing with national Parliament, since questions can be sorted by subject and directed to MPs sitting on corresponding parliamentary committees. Not unrelated to this is the conclusion of the implementers that cooperation of the political parties is very important for success of such projects. Experiences from national and local level are quite different in this respect. While activists behind “Open parliament” project have managed to obtain general support from parliamentary groups, on local level political parties were more prone to see the CSO project as some kind of competition to them, since they sometimes tend to see direct communication with citizens as part of their exclusive “domain”.

Another important finding is that simply opening a communication channel is not enough, neither to increase participation nor to elicit response from representatives. In order to engage citizens, it is necessary to insistently and continuously promote opportunities for participation. Other examples corroborate this conclusion: for instance, official e-government web portal\(^{13}\) has a section dedicated to participation, especially public debates about bills in the procedure, but there are very few comments from citizens, and most of the bills have no comments at all. Looking from the other side, projects “Ask MPs” and “Ask your representative” prove that

\(^{13}\) [http://www.euprava.gov.rs/eParticipacija](http://www.euprava.gov.rs/eParticipacija)
representatives can be persuaded, or “nudged” into being more responsive and accountable, but it requires constant communication and permanent media attention, which also means permanent and steady funding. Consequently, if they are to be sustainable, projects need significant financial support, in order to maintain online platform and ensure media coverage, but, more importantly, in order to maintain sufficient staff to continuously communicate with both citizens and representatives.

Finally, what could projects like those considered in this paper mean in the framework of democratic innovation? Moreover, is this framework even appropriate and useful for thinking about them? If democratic innovations are defined as “institutions that have been specifically designed to increase and deepen citizen participation in the political decision-making process” (Smith 2009), they clearly do not fit in. Furthermore, given Smith’s insistence on citizen’s participation, as opposed to organized participation through CSOs, outcomes of these projects are even farther of the mark, since they are, for the time being, used primarily by CSOs.

In my opinion, experience from these two projects is indeed relevant in the context of democratic innovation. Firstly, CSO projects do raise awareness among representatives about the need for timely and regular communication with citizens, thus making them more receptive to potential future institutional solutions. Especially important in this respect is one of the outcomes of “Ask your representative” project. Namely, city of Kraljevo local assembly has committed to adopt a decision institutionalizing communication with citizens. This is supposed to be done via open assembly sessions at least twice a year, where citizens would be invited to participate and ask questions. If this decision was adopted, it would certainly constitute democratic innovation as defined by Smith. Secondly, those project could be viewed as laboratories, both for locating potential problems and testing solutions. “Open parliament” has already published their analysis of the MPs communication with citizens, including recommendations for improvement. For the time being, according to their observations, it seems that CSOs can actually be more successful in facilitating certain aspects of communication than institutions, since the latter face obstacles stemming from bureaucratic procedures and even legal provisions. On the other hand, given the requirements for sustainable two-way communication, some kind of transition of projects to institutions may be
the very key to their sustainability. Creative institutional solutions that constitute democratic innovation, especially in still developing democracies like Serbian, can probably emerge only from intensive collaboration between state actors and civil society.

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