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Democratization, State-building and War: The Cases of Serbia and Croatia

NENAD ZAKOŠEK

The author explores the connection that exists between democratization, state-building and war in the cases of Serbia and Croatia in the 1990s. It is necessary to examine closely how these processes influence one another because state-building and democratization are not necessarily contradictory and even war might not be an obstacle for democracy. However, in Serbia and Croatia state-building and war influenced democratization negatively, but in different ways. In Serbia, the nationalist mobilization for a state-building programme prevented democratization, while in Croatia democratization was a precondition for state-building, which then impeded democratic consolidation. Further important differences are the lower level of institutionalization, incomplete state-building, and polarized party system in Serbia and a higher level of institutionalization, completed state-building, and moderate party pluralism in Croatia. The war also influenced Croatia directly, while Serbia was only indirectly affected by the wars in Croatia and Bosnia-Herzegovina before the NATO intervention in 1999.

Key words: democratization; state-building; Serbia; Croatia; nationalism; wars of Yugoslav succession

Introduction

The regimes in Croatia and Serbia underwent several changes during the last two decades.¹ They were both involved in state-building and wars, and were ultimately transformed into democratic systems. The dissolution of former Yugoslavia and the ensuing conflicts were the first and most challenging crises that European politicians and diplomats had to deal with after the end of the Cold War, and the consequences of these crises are still a heavy burden for European Union (EU) foreign policy. In this context, much of the political debate and research was triggered by the imperative to devise a coherent policy towards the region, but this debate mainly focused on the causes and the character of the conflicts in the region of the former Yugoslavia.² The analysis below will focus on how democratization, state-building and war were interconnected in Serbia and Croatia and how these processes were influenced by the international environment. In particular, it will explore the following questions.

First, what were the initial structural conditions before the beginning of political transformation?

Second, what determined the dynamics of regime transformation?

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Third, what were the causes and consequences of the three wars³ – the war in Croatia, in Bosnia-Herzegovina (B-H) and in Kosovo – and how did international actors influence them?

Fourth, what was the character of the regimes established in the 1990s in Serbia and Croatia?

Fifth, how can the impact of state-building and war help explain similarities and differences in democratization outcomes?

It seems to be a common understanding among researchers in comparative democratization that state-building and especially war will impede democratization for the following three reasons. One of the reasons is the thesis that ‘stateness’ is a necessary prerequisite of democracy.⁴ If the territory and membership of a polity are not clearly established, democratization is not possible, the actors will be above all preoccupied with defining the state framework of the political community, usually connected with intensive conflicts. A second reason is contained in the thesis about the dilemma of simultaneity.⁵ Transformation processes and conflicts may follow different and (partly) contradictory imperatives; if state-building and warfare are added to democratization and economic transformation, it is highly probable that democratization will be blocked, or even reversed. The third reason is the authoritarian centralization thesis. War, but to some extent also nation-state building, is inherently opposed to democracy; it fosters centralization, hierarchy, discipline and ‘Caesarism’ of the political leader, and will repress deliberation and political competition and limit civil and political rights.

Although these arguments may in principle all be valid, they are nevertheless too general to explain variation in individual cases. It is obvious that state-building processes that were simultaneous with regime change and democratization produced very different outcomes in terms of the success or failure of democratic transition and consolidation. Even war can have a variable impact on democratization, depending on its character, duration, and outcome. Why could, for instance, the Czech Republic or Estonia develop quickly into consolidated democracies despite the fact that they were simultaneously involved in state-building, democratization, and deep economic transformation (in the case of Estonia, initially under very precarious and conflict-laden conditions)? Or even more astonishingly – from the point of view of the incompatibility thesis – how could Slovenia, a new state that emerged out of collapsing Yugoslavia at the same time as Croatia, develop into a model democracy (according to many observers⁶) despite the fact that it acquired its national independence under difficult conditions initially common to all post-Yugoslav states, which even included a short Slovenian ‘war for independence’? These examples suggest the need for a cautious analysis of the complex intertwining of state-building, democratization, and war in each individual case of political transformation.

The Initial Conditions

Some important traits of Serbian and Croatian society, which influenced the regime transition and the dynamics of conflict at the beginning of 1990s, date back to the first half of the 20th or even 19th century. The patterns of state-building in Serbia

and Croatia were different. While Serbia gained its independence from the Ottoman Empire and gradually expanded its territory through a series of uprisings and wars, from the first uprising in 1804 to the Balkan Wars in 1912–1913; Croatian lands (Croatia and Slavonia, Dalmatia, Istria) enjoyed only limited autonomy under the Habsburg monarchy, and a full independence of united Croatian lands never seemed a realistic political goal until 1918. Both countries remained predominantly agrarian and experienced only partial modernization and integration into the European market before the foundation of the common Yugoslav state. The first attempt at unification (1918–1941) proved unsuccessful, with a weak parliamentary regime being transformed into an open dictatorship in 1929 and a deepening Croat–Serb conflict, which destabilized the state. During World War II the common state was dissolved by the German and Italian occupation forces. The conflict deteriorated into massive violence, ethnic cleansing, and genocide, committed especially by the Croatian fascist state, which was established with Nazi German support. Communist Yugoslavia developed out of a broad communist-led liberation movement and was established in 1945 as a federal state consisting of six republics. It can be said that, in terms of social and economic modernization and in terms of the institutional set-up, Yugoslavia was decisively shaped by the communist regime. Therefore this analysis should begin with a brief description of this regime in its developed stage in order to understand the conditions under which transformation began in Serbia and Croatia.⁷

There are some common features of the communist regime that were important for both Serbia and Croatia as constitutive parts of the Yugoslav federation, and others that were specific for each of them. Three distinctive areas determined the conditions before the beginning of transformation: (1) the character of the political system; (2) the institutional structure and functional problems of the federal state; (3) the character and problems of the economic system.

The political system of Yugoslavia since the 1960s could be characterized as an authoritarian regime with limited societal pluralism,⁸ in which power was divided between the constituent republics and federal government. The legitimacy of the regime was based on two pillars, the ideology of ‘self-management socialism’ and preservation of the ‘revolutionary heritage’ from World War II. For 35 years the regime was ruled by the charismatic communist leader and state president Josip Broz Tito. He concentrated ultimate decision-making power in his hands, but was also himself a source of legitimacy, embedded in symbolic ceremonies and discourses. After Tito’s death in May 1980, the Yugoslav communist leaders saw the preservation of the status quo as their primary goal, which impeded necessary reforms.

The institutions of the socialist federal state could be initially characterized as a system of façade federalism, but since the 1960s the system evolved into a genuine federation with some confederative elements. An additional important moment was the strengthening of the position of the two Autonomous Provinces – Vojvodina and Kosovo – that were part of the Republic of Serbia. They acquired the status of ‘constitutive elements of the Federation’ (hence not mere administrative units); they enjoyed a high level of internal autonomy and were entitled to direct

representation on the federal level. Tito's death confronted the federation with an imminent political crisis. Without Tito's undisputed charisma and conflict-solving authority, decision-making became increasingly slow and liable to impasses. In April 1981, Albanian demonstrations in Kosovo revealed Albanian dissatisfaction with the existing federative arrangements. The Albanian demand that Kosovo should become the seventh Yugoslav republic was rejected by the Yugoslav and especially the Serb communist leadership.

Workers' self-management and a 'socialist market economy' were the distinctive features of the Yugoslav economic system. The system was burdened with constant economic deficits caused by its structural make-up, above all, high inflation, unemployment, and diminishing growth rates.⁹ At the beginning of 1980s these deficits, combined with a high foreign debt, caused a severe economic crisis. An additional trait of the economic system was insufficient mobility of production factors, especially capital investment.¹⁰ Apart from the deepening macro-economic crisis there were two main consequences of these economic deficits. First, interregional development disparities were growing – less developed republics, but also Serbia proper, were lagging behind Slovenia and Croatia.¹¹ Second, there were continuing redistributive conflicts over access to scarce investment capital between the republics. In conclusion, it can be said that the growing economic dysfunctions worsened the legitimacy crisis of the communist system.

While the overall political and economic framework was common to all Yugoslav republics, each republic was confronted with a specific constellation of problems and actors.

In Serbia there was a widespread dissatisfaction with the constitutional status of the republic, concerning both its inner structure and the continuing weakening of the Yugoslav federation. In the early 1980s, this dissatisfaction permeated public discussion in Serbia. The attention was focused particularly on the problems of Serbs in Kosovo, and the alleged discrimination against Serbia in the common Yugoslav state. Within the ruling SK (League of Communists) Party of Serbia, there was an emerging political division between a moderate, liberal, and non-nationalist wing and a radical, authoritarian and nationalist wing on how to deal with the 'Serbian national issue'.

In Croatia the political scene had been 'frozen' since 1971, when the Croatian national revitalization movement was crushed by Tito. The regime elites, dominated by hardliners, were strictly keeping to the status quo and rejected political pluralism. An important element of this status quo constellation was Croat-Serb power sharing, which secured the representatives of the Serb community in Croatia a disproportionate political influence and gave them a de facto veto power in all important political questions.

In the second half of the 1980s it was evident that some reform had to be initiated, but there was no agreement on its content. Three different reactions emerged as answers to the crisis in the years 1986–1988. The first programme of change was developed in Slovenia, where communist reformists and a growing non-communist opposition simultaneously opted for political pluralism and free elections, and also for an independent constitutional status for Slovenia. The Slovene formula proved

ultimately successful and had a considerable impact on the dynamics of democratization and state-building in Croatia. The second path of transformation was envisaged by President Slobodan Milošević and the Serbian communist leadership.¹² The third reform concept, designed on the federal level, was the economic reform started by the federal Prime Minister Ante Marković in 1988, which aimed at introducing privatization and market mechanisms as well as political pluralism.¹³ Although initially it had some success, the reform failed to secure a peaceful transformation path, mainly because it was not able to control the federal Yugoslav People's Army (JNA). With the disappearance of the common state, the federal government and its policies 'withered away'.¹⁴

Transformation Dynamics: The Interplay of Democratization, State-building and War

The specific feature of the simultaneous processes of regime change and state-building in Serbia and Croatia was that they were accompanied by wars. There have been three distinct wars that are relevant for this analysis.

The war in Croatia, which lasted from August 1991 to August 1995, was a combination of internal armed insurrection of extremist Serbs and an external intervention by the regular army, JNA, and Serb paramilitaries.¹⁵ Although the political conflict between the Croatian government and the Serb minority leadership was important in the genesis of the war, the Serb side was ultimately pushed into war through a systematic fear and hate campaign by their extremist leaders, installed by the Milošević regime, in which memories of atrocities against Serbs by Croatian fascists during World War II were recalled.¹⁶

The war in Bosnia-Herzegovina (B-H) lasted from March 1992 to November 1995, and included a Croat–Muslim 'war within the war' lasting from October 1992 to February 1994.¹⁷ The war in Bosnia was mainly a conflict between armed units of the three national entities in B-H, whereby JNA had been de facto transformed into the Bosnian Serb army (giving it its entire arms arsenal and officer corps) before the outbreak of the war.¹⁸ In addition, paramilitaries from Serbia played an important role in the war. There is also evidence that units of the Croatian army temporarily took part in the war on the side of B-H Croats.¹⁹

The Kosovo war, which took the form of guerrilla warfare by the Kosovo Liberation Army (UCK) and counter-actions by the Serbian military and police as well as paramilitary units, lasted from February 1998 to June 1999.²⁰ The most intensive period of war was between March and June 1999, when Serbian forces undertook large-scale operations aimed at the ethnic cleansing of the Albanian population from Kosovo and the North Atlantic Treaty Organization (NATO) tried to halt these actions by an intensive bombardment of the entire territory of Serbia.

Croatia was directly affected by the first two wars (since Croatian territory was shelled by the Bosnian Serbs throughout the war), while it did not have any part in the Kosovo war. Serbia was only indirectly affected by the wars in Croatia and B-H through its support for the Serb forces in both states, either through regular

JNA troops or paramilitaries, as well as through arms and financial help; and also because of the United Nations economic embargo against the Federal Republic of Yugoslavia (Serbia and Montenegro) from May 1992 to November 1995. The Croatian and Bosnian wars were partly interconnected in military terms and included some military actions that took place in both countries.

The impact of these wars on democratization and state-building in Serbia and Croatia is analysed below.

Serbia

It is important to emphasize that the regime change in Serbia began as a transformation away from democracy, as an 'authoritarian involution' of the political system.²¹ The first step in the Serbian transformation was an internal coup in the League of Communists of Serbia (SKS) party, by which the growing tension between party moderates and hardliners was resolved. In autumn 1987, the hardliner party president Slobodan Milošević defeated his moderate opponents and established a new political course.²² Milošević abandoned the existing rules of the game, which favoured collective and impersonal rather than caesarist and populist methods. He became the charismatic Serb leader who enjoyed broad popular support. Using Kosovo Serb dissatisfaction, he mobilized a broad nationalist protest movement, the so called 'anti-bureaucratic revolution', in the form of officially instigated mass rallies and demonstrations. On several occasions, rallies with more than one million participants were organized.²³ It is important to note that this movement was entirely based on nationalist mobilization and did not offer any answers to grave economic and social problems. After the collapse of communism in Eastern Europe and after free elections in four other Yugoslav republics, the multiparty system became unavoidable. It was not hard for Milošević to accept this as a tactical concession and to win the first multiparty presidential and parliamentary elections in December 1990.²⁴

We have to turn to the Serbian state-building programme pursued by the Milošević regime in order to understand how it was used to block democratization. It may sound paradoxical that there was no clear state-building programme, but Milošević was able to mobilize Serb nationalism and gain populist legitimacy using a general and vague formula of 'all Serbs living in one state' (an old 19th-century Serb nationalist slogan). The implication was that Serbia would accept neither a confederative reshaping of Yugoslavia, nor the territorial status quo along the existing borders of former Yugoslav republics in case of the dissolution of Yugoslavia. As a consequence, the concrete goals were shifting and adapting to the changing situation, making four different objectives of state-building distinguishable between 1987 and 1999.

The initial goal was the constitutional and political 'unification' of Serbia and abolition of the autonomous status of the provinces Vojvodina and Kosovo. This goal was achieved by March 1989. At the same time, Milošević tried to impose centralization of the Yugoslav federation with Serbia taking the dominant position. To achieve his goals, Milošević combined repression (in Kosovo), the use of communist institutions on the federal level (a party congress where Serbian communists could use their majority, the federal presidency, the JNA), and the political leverage of

mass protests and populist mobilization of Serbs inside and outside Serbia. In the last part of this period (May 1990–June 1991), Milošević and the command of JNA tried to proclaim a state of emergency and establish a transitory military regime in order to impose the Serbian solution. The attempt failed.²⁵

After it became clear that Slovenian and Croatian declarations of independence could not be prevented, the Serbian strategy changed from political to military and violent means. After the short war and withdrawal of JNA from Slovenia (June–July 1991) the ‘all Serbs in one state’ strategy was aimed at keeping a reduced Yugoslav state under Serbian control. The main role was given to JNA, supported by armed Serb insurgents in Croatia and paramilitary units from Serbia. The task was to defeat the Croatian government and dictate the new borders between Croatia and the rest of Yugoslavia. It was expected that B-H and Macedonia would remain in Yugoslavia and would not dare to oppose Milošević and JNA, given their military weakness and lack of international support.

This second scenario also failed, because of a successful Croatian defence and a change in the attitudes of international actors, who recognized Slovenia and Croatia as independent states in January 1992. Milošević and the Croatian Serbs pragmatically decided to establish ‘ethnically cleansed’ Serb lands along the ceasefire demarcation lines in Croatia, which could then eventually be ‘amputated’ and attached to the rump-Yugoslavia. After the pro-independence vote in the B-H referendum (February–March 1992), the same strategy was applied in B-H and led to a war that lasted until November 1995. B-H Serb forces, which were given the entire JNA arsenal and covert support from Serbia, tried to occupy and ethnically cleanse as much territory as they could. It was hoped that all territories held by Serbs could in the end join the Yugoslav federation, consisting of Serbia and Montenegro, either as separate republics or as provinces of Serbia.

After the successful Croatian offensives in May and August 1995, the entire Serb secessionist para-state in Croatia was given up. The Muslim–Croat offensive in B-H in the fall of 1995, supported by NATO air strikes, pushed Bosnian Serbs to accept the Dayton peace agreement, which gave them an autonomous political entity within the framework of a weak B-H state, but destroyed the prospect of becoming a part of ‘Great Serbia’. Milošević once again turned to the remaining state-building questions at home. The union with Montenegro had to be preserved, despite the growing influence of separatists in Montenegro. In Kosovo, Milošević was determined to uphold Serbian sovereignty, if necessary by brutal police and military repression. After Kosovo Albanians moved from peaceful resistance to armed guerrilla war, Milošević tried to impose the ‘final solution’. A large-scale operation to force out the majority of the Albanian population was prepared in 1998 and effected during NATO intervention against Serbia (March–June 1999). The two goals concerning Montenegro and Kosovo were not achieved. Montenegro voted for independence in May 2006, and Kosovo was put under UN administration, with a prospect of becoming an independent state.

In this context, another specific characteristic of Serbian state-building must be mentioned – the fact that Serbia under Milošević remained a part of the Yugoslav federation. This implied that there was always a federal level of state institutions,

which were under de facto Serbian control. In the first phase, until summer 1991, some federal institutions (federal presidency, federal government, JNA – later transformed into the army of Yugoslavia, VJ) still enjoyed some autonomy. After the war escalated in Croatia in fall 1991, federal institutions were turned into mere instruments of Milošević's policy. In April 1992, the rump institutions of the old state were abandoned and a new constitution of the Federal Republic of Yugoslavia, consisting of two unequal members, Serbia and Montenegro, was adopted. Milošević was able to secure his dominant position within this altered framework, from which Montenegro increasingly distanced itself from 1997.²⁶ In February 2003, the Yugoslav federation was abandoned altogether and transformed into a confederation of Serbia and Montenegro, which lasted until the independence of Montenegro (following a referendum in the province) in May 2006.

The dynamics of regime change, state-building and war as outlined above was determined by the following four types of actors.

The *communist elite* were represented by Milošević and his party, SKS, which was transformed into the Serbian Socialist Party (SPS) in 1990. The party was a mixture of continuity with the communist system and change introduced by Milošević.²⁷ In its ideology the party remained communist, protecting state ownership and opposing privatization and market reforms, but incorporated the main ideas of Serb nationalist ideology. It kept the communist type of organization that still permeated the economy and that controlled trade unions and other social associations. On the other hand, the power structure in the party was strictly personalized and concentrated in the hands of Milošević, highly unusual for the previous phase of the communist regime, which had been characterized by collective leadership. There were no visible inner party factions. Finally, from 1992, the party did not control the parliamentary majority – a peculiar contrast to Milošević's populist style of rule – and was forced to maintain an informal and, since 1997, also a formal coalition with the right-wing Serbian Radical Party (SRS).

A mass *nationalist movement* (1988–1990) emerged out of spontaneous nationalist mobilizations of Kosovo Serbs and was supported by some intellectual associations, most notably the Serbian writers' association. Starting in 1988, the movement was manipulated by Milošević, who was able to direct it through networks of secret service agents and through his charismatic authority. After 1990 the movement no longer existed as a broad network for mobilizing protest against the enemies of Milošević, but was partly absorbed into SPS and partly transformed into clandestine structures employed by the regime during the wars.²⁸ During the war a grey zone of paramilitary units, criminal networks, and similar unofficial organizations were used by the regime independently of the mechanisms of the ruling party. Part of the political impetus of the mass movement was certainly inherited by the SRS, which explains its strength until today.

The *centrist opposition* consisted of several parties, which all in different degrees advocated a Serb nationalist programme that was not very different from the one represented by the regime. The opposition parties mainly criticized the non-democratic character of the regime, but supported its state-building policies. In addition, there was a group of anti-nationalist marginal parties and NGOs that represented a

fundamental opposition to the regime. They joined the protests of the centrist opposition in demanding democratization, but went beyond that in opposing war and Serb expansionism.

The *commanding elite of the JNA* was still an independent factor in the initial phase of development (1987–1991) and was important as the sole actor in the beginning that controlled access to the means of violence. The top army officers had already allied with Milošević in the late 1980s and closely coordinated their actions with his.²⁹ In 1992, with the establishment of the new Yugoslav federation encompassing Serbia and Montenegro, the army was completely reorganized, renamed Army of Yugoslavia (VJ), and put under Milošević's direct control.

The character of the regime and its political dynamics were decisively influenced by the peculiar party system that characterized Serbia during the 1990s. After the first free elections in December 1990, Milošević's Socialist Party of Serbia (SPS) won a safe majority of more than three-quarters of the seats in the Serbian national assembly, while the two main opposition parties together had only about 10 per cent of seats. It seemed that Milošević would be able to establish a predominant party system.³⁰ But the populist dynamics, the unfinished state-building project, and war produced different outcomes. The SPS was never again able to win an absolute majority in the parliament, and the extreme right nationalist SRS became an important political force. From 1992, therefore, the two anti-democratic extremes on the left and right (SPS, SRS) together dominated the party system and collaborated, at first tacitly and from 1997 in formal coalition. The centrist parties were pushed to the margins by this development and also by their fragmentation and disunity. The development of the party system is shown in Table 1. The table also shows the fundamental change brought about by the fall of Milošević's regime. After 2000 we see the marginalization of SPS. This was due to the fact that Milošević was arrested and extradited to the International Criminal Tribunal for the Former Yugoslavia (ICTY) in June 2001. However, the SRS

TABLE 1
LEFT–RIGHT COMPOSITION OF THE SERBIAN PARLIAMENT 1990–2007

Political position	1990	1992	1993	1997	2000	2003	2007
Left	77.6	40.4	49.2	44.0	14.8	8.8	6.4
Left centre	–	–	–	–	–	–	6.0
Centre	2.8	2.4	11.6	–	70.4	28.4	33.2
Right centre	7.6	20.0	20.8	19.1	–	30.0	18.8
Right	–	29.2	15.6	32.8	14.8	32.8	32.4

Source: Vladimir Goati (ed.), *Partijska scena Srbije posle 5. oktobra 2000* (Belgrade: Institut društvenih nauka and Friedrich Ebert Stiftung, 2002), available at http://www.rik.parlament.sr.gov.yu/latinica/propisi_frames.htm (accessed 5 Nov. 2007).

Notes: Left = unreformed post-communists (SPS); Left centre = left liberals (LDP); Centre = liberals (Democratic Party (DS), Group 17plus (G17plus)), Right centre = moderate nationalists (Serbian Renewal Movement (SPO), Democratic Party of Serbia (DSS)); Right = extremist nationalists, right radicals (SRS, Party of Serbian Unity (SSJ)); difference to 100 per cent = minor parties, minority and independent MPs.

remained the strongest Serbian party and a reservoir of anti-democratic and Serb chauvinist forces.

What brought down the Milošević regime? In its initial phase up until 1996, it could be characterized as a liberalized authoritarian regime that tolerated opposition as long as it enjoyed broad popular support, based on its state-building programme. But even in this phase there was no prerequisite for free and fair electoral competition.³¹ The failure of the Serbian expansionist state-building programme became evident after the Serb insurrection was defeated in Croatia in 1995. In the same year, the Dayton Peace Agreement for Bosnia and Herzegovina thwarted maximal Serb goals in this country and demonstrated the ultimate failure of the project of 'Great Serbia'. The cost of war and the economic embargo seriously weakened the Serbian economy, and social conditions deteriorated. The consequence of both state-building and socio-economic failure was a decline in regime legitimacy. After 1996 the regime responded by increased repression and developed features of an 'incomplete sultanism'.³² In addition, it tried to exploit the remaining unresolved state-building issue of Kosovo. The failure of the regime's Kosovo policy was finally demonstrated by the NATO war against Serbia and the establishment of a UN administration in Kosovo in 1999. The legitimacy of the regime was so fundamentally weakened that a united centrist opposition was able to produce a common candidate in the presidential elections in September 2000, Vojislav Koštunica, who defeated Milošević. When Milošević tried to annul the elections, a not entirely peaceful revolution toppled the regime and opened the way for substantial democratic changes.³³ The parliamentary elections in December 2000 confirmed the opposition's victory and established a new democratic majority, which could then introduce democratic reforms.

The transition to democracy in Serbia only started in 2000. What existed before was not even a defective democracy, but only a continuation of a transformed authoritarian communist regime, which was more or less liberalized.

Croatia

Regime change in Croatia began as a combination of liberalization due to regime weakness and external pressures coming both from Serbia and the reforms of the federal government, the slow crystallization of an opposition that emerged in the spring and summer of 1989, and a change in the balance of power between hardliners and softliners in the ruling communist elite. The breakthrough came about only under the impact of the crumbling Soviet bloc, the advance of political reforms in Slovenia, and growing pressure from Serbia. In December 1989, the reformists in the League of Communists of Croatia (SKH) were able to win the majority at the party congress and this opened the path to free elections.³⁴ Croatian nationalism was mobilized during the electoral campaign for the first parliamentary elections in April–May 1990. The elections triggered the regime change. The electoral victory of the nationalist Croatian Democratic Union (HDZ), led by Franjo Tuđman, former communist general and dissident, and the acceptance of electoral defeat by the SKH leadership secured a peaceful and legal transition. The new constitution was adopted very early, in December 1990, and established a strong semi-presidential executive,

which gave the new president, Tuđman, effective powers to respond to the Yugoslav crisis and conflicts within Croatia. The new regime was also characterized by a strong anti-Serb resentment. In particular, it rejected all power-sharing mechanisms and the privileged veto powers previously given to the Serb minority in Croatia. The inclination was towards 'nationalizing state policies'³⁵ and defining Croatia as a nation-state of Croats. These had symbolic and practical consequences. The new state insignia, such as the flag and coat of arms, and the definition of Croatian as the official language, reflected the nationalizing character of government policy. This was further reflected in state administration, courts, police, state media, and so on, where priority was given to Croats and many Serb employees were removed.

The combined effect of these policies and Serb mobilization by the Milošević regime was a deepening conflict between the Croatian government and substantial parts of the Serb minority in Croatia. The political leaders of the extremist faction among the Croatian Serbs responded by rejecting minority status and withdrew from state institutions. Only four months after the first free elections, a violent insurrection began in municipalities where a majority or a substantial minority of the population were Serbs. The local Serbs took over control in these municipalities and united them into a separate territorial entity called 'Krajina' and threatened to secede from Croatia if it left Yugoslavia. Thus the 'Serb question' in Croatia ceased to be a democratic question and became a question of stateness.³⁶ The conflict rapidly deteriorated, progressing from sporadic violent incidents into a large-scale war in August 1991. The response of the HDZ regime was to establish an all-party 'government of democratic unity' including representatives from all parliamentary parties except Serbs. The government lasted until the early parliamentary and presidential elections in August 1992. After winning a safe parliamentary majority and presidency, and after Croatian independence and basic state institutions were secured, HDZ established itself as a predominant party and used its political monopoly to marginalize the opposition and to restrict criticism against the regime.

A substantial part of this sequence of regime change was the state-building project. Initially it was not clear whether full state independence could be achieved in the given international environment, therefore a confederative reshaping of Yugoslavia was considered as an option.³⁷ Full state sovereignty outside Yugoslavia was spelled out as a goal when the international community changed its attitude towards recognition of new states. This change came about as a reaction to the dissolution of the Soviet Union (August to December 1991) and the simultaneous advancement of the collapse of the Yugoslav federation. Full sovereignty was claimed for the entire territory within its existing borders. This is also the position that was upheld by the Badinter Arbitration Commission, established by the European Community with the task of assessing the constitutional status of Yugoslavia and the conditions for recognizing independence of individual republics (see below).

The position of Milošević and the Croatian Serbs was the exact opposite. They claimed that national communities were entitled to decide their own status and that the borders of the republics were irrelevant. It was not clear how the new borders should be established, since most territories claimed by Serbs had in fact a mixed national structure, with Serbs in some cases being only a substantial minority.³⁸

The immediate goal of gaining sovereignty and international recognition for Croatia was achieved in January 1992. The problem was, however, that about a third of Croatian territory was controlled by the Serb insurgents and JNA after a ceasefire was established, and a UN peace-keeping force entered Croatia in February 1992 to prevent further fighting.

The second significant problem of Croatian state-building was the existence of a parallel 'hidden agenda'. Tuđman's plan was to cooperate with Serbia in splitting up Bosnia-Herzegovina, which was supported by the extreme nationalist hardliners in his party and the secessionist B-H Croat leaders. In pursuing this plan, Croat separatists in B-H established a separate Croatian territorial unit, similar to those territories established by the Serbs in Croatia and B-H, which led to war between B-H Croats and the Bosnian army in October 1992.³⁹ Tuđman's preference for dividing B-H was in fact jeopardizing the Croatian claim to full territorial integrity and recognition of the territorial status quo between the Yugoslav republics. The B-H agenda was also opposed by a broad spectrum of political forces, including a minority group in the HDZ, which led to split in the party. Tuđman was ultimately forced by international pressure to give up this idea, and an agreement was reached in February 1994 in Washington. The Croat separatist territory was to be dismantled and integrated into the Bosniak-Croat federation, which became one of the two entities of the B-H state after the Dayton Peace Agreement.⁴⁰

After this potentially fatal ambiguity in the Croatian state-building programme was overcome, Croatia was in fact able to achieve its main state-building goal by crushing the Serb insurrection in 1995 and securing its territorial integrity. The last Serb-held area in Eastern Slavonia was peacefully integrated in January 1998. The consequence was that Serb representatives returned to Croatian political life. But the consequences of the Serb insurrection and war were detrimental for the Serb minority in Croatia – their number was reduced from around 580,000 in 1991 to around 200,000 in 2001, and their proportion of the population from 12.2 to 4.5 per cent. Today they enjoy the status of a national minority with constitutionally guaranteed minority rights, precisely the formula which was so vehemently rejected in 1991 by their leaders.

The main actors in regime change, state-building, and war were as follows.⁴¹

Reformed communists, organized in the Social Democratic Party (SDP) emerged out of the old SKH after the electoral defeat in 1990. SDP still plays an important role in Croatian politics. It was able to recover from electoral defeat and establish itself as the main competitor of HDZ, representing the moderate left-centre option. Together with Social Liberals, SDP formed the backbone of the coalition that defeated HDZ in 2000. Its success has been an effective barrier to all left-populist initiatives.

The *Croatian Democratic Union* (HDZ), led by Franjo Tuđman, won the founding and all subsequent elections in the 1990s based on its character as a *populist party*. Tuđman was a charismatic leader, and his strong position was guaranteed by the semi-presidential system of government. His party enjoyed political and ideological hegemony in the 1990s. However, it was not politically homogeneous but chronically divided in factions. The political programme of the party insisted on the primacy of Croat nation state-building, but also combined heterogeneous ideological elements

reflecting Tuđman's idea of reconciling all historical currents of Croatian nationalism. The populist character of the HDZ was also reflected in the establishment of a wide network of clientelist groups, most of which emerged from the war, such as volunteers and war veteran associations, groups of displaced persons and war victims. After HDZ was voted out of government in 2000, the veterans and volunteers became a serious threat to democracy by organizing mass protests and road blockades and appealing to the 'patriotic forces' in the army and police, which threatened to destabilize the democratically-elected government. The party made a major political about-turn in 2002, when it abandoned extreme nationalism and embraced a moderate conservative and pro-European orientation. As a kind of right-wing annex to HDZ there is also the extreme Croatian Party of the Right (HSP), which has been continuously present in the Croatian parliament since 1992.

A range of smaller *centrist parties* (left and right of centre) played an increasingly important role thanks to successful coalition strategies. After forming a coalition with social democrats they also participated in the electoral victory over HDZ in 2000, but their programmatic differences and appetite for political spoils made the functioning of the coalition government extremely difficult. Today these parties play a role only as potential coalition partners for SDP or HDZ.

The *Serbian Democratic Party* (SDS) was the political organization that led the *insurrection of Serbs* in Croatia. At the very beginning of its existence, the party was still open to political negotiations with the Croatian government, but its first leader, Jovan Rašković, was soon replaced through Milošević's intervention by a more radical political leader, Milan Babi. The party was banned as unconstitutional and consequently disappeared after the military defeat and dissolution of the 'Krajina' para-state in 1995. Today the remaining Serb minority in Croatia is represented by a party founded after 1995, the Independent Democratic Serb Party (SDSS).

The Croatian party system has gone through three stages of development, yet has remained remarkably stable.⁴² The main parties that emerged during the formative years, 1990–1992, still dominate the political system. The first elections of 1990 created a bipolar party system; after 1992 it was transformed into a predominant party system, and after 2000 into a moderate pluralist system. The main source of anti-democratic tendencies was the ruling party itself, which enjoyed a safe parliamentary majority throughout the 1990s. Right-wing extremism was weak outside the ruling party, but had a significant impact in the HDZ until 2002, while left-wing populism (of the Milošević or Mečiar type) did not exist. Two of the most important developments were the ability of post-communists to transform themselves into a moderate centre-left party and the ability of the HDZ to overcome its extremist nationalist legacy and move towards the centre-right, a shift accomplished in 2002. Thus, today's Croatia has a moderate pluralist and not very polarized party system, which is the basis for democratic consolidation. The main challenge to this process remains the low levels of citizen trust of democratic political institutions, especially the political parties.⁴³ The metamorphoses of the party system are shown in Table 2.

The HDZ and Tuđman regime of the 1990s can be characterized as a defective democracy, combining features of an illiberal democracy (insufficient guarantees of civil and political rights, lack of horizontal accountability and separation of

TABLE 2
LEFT-RIGHT COMPOSITION OF THE CROATIAN PARLIAMENT 1990–2003

Political position	1990	1992	1995	2000	2003
Left	25.0	—	—	—	—
Left centre	—	13.2	12.6	34.3	34.9
Centre	3.8	10.1	9.4	15.9	4.0
Right centre	—	2.2	7.9	10.6	50.0
Right	68.8	65.2	62.2	33.8	5.3

Source: Nenad Zakošek, *Politički sustav Hrvatske* (Zagreb: Fakultet političkih znanosti, 2002), available at <http://www.izbori.hr> (accessed 30 Aug. 2007).

Notes: Left = unreformed post-communists (SDP 1990); Left centre = social democrats/reformed post-communists, left liberals (SDP since 1992, Croatian People's Party (HNS), Istrian Democratic Assembly (IDS), Liberal Party (LS)); Centre = liberals, centrist democrats (Coalition of People's Agreement (KNS), Croatian Social Liberal Party (HSLs), Democratic Centre (DC), Croatian Party of Pensioners (HSU)); Right centre = conservatives, moderate nationalists (Croatian Peasants' Party (HSS), HDZ since 2003); Right = extremist nationalists, right radicals (HDZ 1990-2000, Croatian Party of Rights (HSP)); difference to 100 per cent = minor parties, minority and independent MPs.

powers, corruption, and clientelism) and delegative democracy (concentration of power in the hands of a dominant president).⁴⁴ However, it is important to note that the regime reached a high level of institutionalization in which political institutions functioned mainly according to their constitutional and statutory set-up. Some defective features can be attributed to the institutional design — such as presidential powers as defined by the constitution and laws, electoral law, or appointment procedures for judges. However, there were some important areas of non-institutional power, especially the channels of political influence for B-H Croats, secret services, some military units, and the functioning of the state attorney office.

As a result of this effective institutionalization, the regime change in 2000 had the character of a regular change of government in a representative democracy. There are two main reasons for this: (1) after the successful completion of state-building, the nationalist rhetoric of Tuđman and his party were less effective in mobilizing voter support; and (2) in the late 1990s the government's economic and social policy caused a serious crisis with economic contraction, dramatically rising unemployment, and declining social benefits. Both elements produced an acute legitimacy crisis for the regime.⁴⁵ In addition, HDZ also faced a leadership crisis after Tuđman died in December 1999. A broad coalition of opposition parties, led by the SDP, was able to win the parliamentary elections in January 2000. The institutional deficits (semi-presidentialism, judiciary) were dealt with by institutional change, most importantly the constitutional amendments adopted in 2000 and 2001.

The Policies of the International Community and Their Impact

The Yugoslav crises evolved in a specific international environment. They happened immediately after the collapse of communism while the West feared the consequences of a possible dissolution of the Soviet Union. German reunification had put the problem of national self-determination on the agenda again: for the first

time in Europe since World War II, state borders were changed (even if only to reunite a divided nation). Finally, the Kuwait crisis and the first Iraq war in 1991 confronted the UN and the great powers with an entirely new set of questions concerning international intervention.

If we follow the international reactions to the Yugoslav crises, we can see that the policies of the international community towards the region were diverse. From the beginning international involvement was very intensive. The problem is, however, that the instruments used were often inadequate, untimely, ineffective and inconsistent. In addition, the main international actors, even among the western powers, could not agree on a common political strategy towards the region.⁴⁶ A common platform was ultimately reached under US leadership and new means of intervention were designed. Nine different forms of intervention and involvement were applied in the Yugoslav crises. Each will be briefly described and evaluated.

Mediation by international mediators through ‘shuttle diplomacy’ and international conferences was the most frequently used instrument in different phases of the conflict. Most agreements between the parties to a conflict have been reached through the help of international mediators, from the first European Community Troika in 1991, which helped to reach the Brioni Agreement on ending the war in Slovenia, to Javier Solana, who mediated the negotiations between Serbia and Montenegro in 2003, to Marti Ahtisari, UN Secretary General special envoy assigned to propose the solution for the final status of Kosovo, which he presented in January 2007. With some exaggeration it can be said that places where those conferences were organized, namely The Hague, London, Geneva, Dayton, and Rambouillet, sound to the people in the region very much like the names Versailles, Trianon, Rapallo, and Locarno might have sounded to European citizens after World War I.

Monitoring and evaluation by different international organizations has been widely used to assess the developments in the new states that emerged out of the Yugoslav federation. This instrument was used even in the confrontations between Milošević and the Serbian opposition. It may be recalled that in January 1997 Felipe Gonzales, former Spanish prime minister, was invited to assess the contested issue of Serbian local elections in which the opposition won and Milošević subsequently annulled the elections.

Arbitration played an immensely important role, although it was used rarely. The most important was the work of the Badinter Commission in 1991–1992, a group of legal experts established by the European Community in the context of a Conference on Yugoslavia and upon request, ironically, by Serbia, to establish an expert opinion on the state of the Yugoslav federation. Based on its analysis of the constitution of Yugoslavia and on an analogy with the process of decolonization, ‘on 29 November 1991 the Commission delivered the first – and probably the most notorious – of its opinions, to the effect that Yugoslavia was “in the process of dissolution”’.⁴⁷ It formulated a decisive procedural and substantive requirement to continue this process and for international recognition of the emerging new states. The Yugoslav republics as integral and autonomous constitutional entities were asked to organize referenda on independence. In the case of a positive decision, it was said that they could proclaim independence, provided that they guaranteed the protection of minority rights. Four of

the Yugoslav republics followed this procedure in 1991 and 1992, while only the residual Yugoslavia (Serbia and Montenegro) rejected it. Montenegro organized a referendum on independence one and half decades later, in May 2006. The opinion of the Commission also completely delegitimized both the Serbian claim to be the sole successor of the Yugoslav federation and the carving-out of Serb territories in Croatia and B-H on the basis of an alleged right of national groups to self-determination. Self-determination was clearly attributed to existing and constitutionally recognized territorial entities.⁴⁸ Unfortunately, there was no international determination to strictly implement the principle advocated by the Commission.

The *imposition of international embargoes* by the UN Security Council also decisively influenced the development of Yugoslavia. In September 1991, an arms embargo was imposed on the region of the former Yugoslavia, and in May 1992 an economic embargo was applied against FR Yugoslavia because of its involvement in the B-H war. The arms embargo was more damaging to B-H than to Croatia, because the latter was able to capture a part of the JNA arsenal, while the former was nearly completely defenceless. The economic embargo against the FR Yugoslavia proved at least partly successful, since it forced Serbia to adopt a more cooperative position in talks about ending the war. However, embargoes also have unintended negative effects. An economic embargo is a very rough instrument, which mostly affects the citizens and not the regime. It also fosters criminal activities and a shadow economy, which in Serbia created a hidden social structure of power and wealth connected with the regime.

A *UN peace-keeping mission*, UNPROFOR, was introduced in February 1992 to Croatia and in September 1992 it was extended to B-H. This instrument proved extremely inadequate, especially in B-H, where UN forces were not only unable to keep the peace, but were also humiliated and became targets of Serb attacks in the course of the war. As Mertus and Dimitrijević conclude in their study, 'The chief characteristic of UN policy was its commitment to the concept of UNPROFOR as the protector of humanitarian aid. It could not be a proper peace-keeping force as there was no peace to keep, and an alternative policy of enforcing an end of hostilities by military intervention could not secure the requisite international backing.'⁴⁹ UNPROFOR was also unsuccessful in Croatia, since it was not able to secure the return of Croatian displaced persons to the Serb-controlled areas, which was its task. It was precisely the fiasco of the UN peace-keeping in Croatia and B-H that resulted in the readiness of NATO to apply more robust and direct forms of humanitarian intervention.

Peace enforcement was practiced by NATO forces in autumn 1995 in B-H and in the March–June 1999 intervention against Serbia in the context of the Kosovo war. Both actions were very successful and produced the effects that were intended by NATO. However, military peace enforcement creates only the prerequisites for political solutions, which in both cases, B-H and Kosovo, proved to be much more difficult to achieve.

The International Criminal Tribunal for the Former Yugoslavia (ICTY), established by the UN Security Council Resolution 827 in May 1993 with the purpose of 'prosecution of persons responsible for serious violations of international

humanitarian law committed in the territory of the former Yugoslavia since 1991',⁵⁰ is a new type of international instrument. It has created an entirely new international environment, both for the states affected by the work of the Tribunal and for the international community in general. It certainly represents a new level of 'juridification' of international relations and also an important attempt to bring the aspect of justice into the political solutions applied in the new states involved in the 'wars of Yugoslav succession'. It has also contributed immensely to collecting evidence and establishing the historical facts about the events that happened during the wars, including the criminal responsibility of the political leaders, and it even managed to put Slobodan Milošević on trial. Some observers found that the main deficit of the Tribunal was its inability to explain and to communicate its activity to the citizens of the involved post-Yugoslav states.⁵¹

The *international protectorates* in Bosnia-Herzegovina and Kosovo represent a form of international engagement that has not been practiced in Europe since the occupation regimes after World War II in Germany and Austria. It may prove necessary to establish similar structures of international involvement elsewhere, as the experiences of Cambodia, Afghanistan, and Iraq demonstrate. However, the protectorates have not yet produced viable and self-sustaining political communities in Bosnia-Herzegovina or in Kosovo.

Political conditionality as precondition for membership in EU and NATO is an instrument that can be used only in a very advanced phase of a country's development, when major state-building problems are solved and the addressee of this policy is prepared to respond positively to conditionality. This should be kept in mind when dealing with the Kosovo issue and Serbian attempts to preserve its sovereign rights over the province.

It is probably correct to say that more traditional means, such as embargos and peacekeeping, were less effective than the new forms of intervention, such as peace enforcement and the ICTY. The positive lessons of the ICTY are twofold. First, it has demonstrated that an independent international judicial institution creates its own mode of functioning and cannot be directly influenced by other political actors. Second, the work of the court might prove important in helping Croatian, Serbian, and B-H societies to confront the crimes of their own side. Two main failures of the international community in the region were its inability to see the causes of the wars clearly or to devise adequate measures to stop them. Another failure was the inconsistency of measures applied, given the lack of political consensus.

As for the two states analysed here, it is evident that Croatia was more cooperative and responsive to the actions of the international community than Serbia. This 'obedience', so often criticized by nationalists, proved ultimately to be more beneficial to national interests and democracy than the stubborn and non-cooperative Serbian attitude.

Conclusions

The causes of the 'wars of Yugoslav succession' are quite elementary. While a plethora of factors and actions contributed to the political context in which a war

became imaginable, in order to have a war, it is necessary to have a side that is ready to employ violent means, including massive military violence, and on the other hand, a side that is ready to resist these attempts, also by violent means. The driving force of the wars was the rejuvenated nationalist authoritarian regime under Slobodan Milošević, which was convinced that it could crush its opponents by force. The regime manipulated and mobilized its co-nationals in Croatia and B-H to take part in this endeavour. War became possible after the side exposed to this threat of violence decided to resist also by violent means, otherwise there would have been only surrender and military occupation or passive resistance or, in the worst case, as attempted in Kosovo in 1999, forced expulsion of population from a territory. First the Slovenes resisted, then the Croats, then together Bosnian Muslims and Croats, whose mutual conflict came about only as a product of an already ongoing war, and finally Kosovo Albanians. The evidence for this causal relationship is overwhelming. For instance, where the Milošević regime did not have any immediate interests, there was either no war, as in Macedonia, or only a brief war, as in Slovenia. Where there was no will to organize armed resistance, as in Kosovo from 1989 to 1998, there was massive repression, a regime of occupation and segregation, but no war.

Democratization

In Serbia democratization was prevented in 1990 by the authoritarian renewal of the communist regime through nationalist mobilization. What was established in Serbia in the 1990s was a very specific form of authoritarianism, where a communist leader used nationalist populism to achieve legitimacy, and where due to domestic and international circumstances some liberalization and opposition activities were tolerated. But as long as the regime could rely on its main sources of legitimacy – the nationalist programme of establishing ‘Great Serbia’ and a minimum of social security granted to its loyal supporters – its power was not at stake in the elections. As the legitimacy reserves became thinner, the regime became more repressive and was ready to eliminate opposition leaders, even by force.⁵² An ‘incomplete sultanism’ was established.⁵³ This characterization also describes the regime’s low level of institutionalization: power was personalized; electoral procedures were not respected; and the regime increasingly relied on unofficial, semi-legal or even criminal networks for its economic and repressive transactions. The party system was polarized, but with an unusual co-operation of the left and right extremes, which dominated political competition. The regime’s collapse was caused by the failure of its state-building programme and military defeat. The regime change had a revolutionary character with some elements of violence, comparable to the Romanian case during and after the fall of President Ceausescu in 1989. The regime change in 2000 finally made democratic transition possible. However, the consolidation of democracy is still threatened by the persistence of semi-legal and illegal anti-democratic structures of the old regime, as demonstrated by the assassination of Prime Minister Đinđić in March 2003, strong radical nationalist opposition, and incomplete state-building.

In Croatia, democratic transition was initiated by the communist reformers in an acute legitimacy crisis caused by external pressure. The founding elections in 1990 brought a populist nationalist party to power, which, after a consensus-oriented

initial period, established predominant party rule. It effectively used its political monopoly to capture most instruments of power, state administration, public media, and state-owned enterprises. The institutionalization of power was accomplished in a short period, and a strong executive in a semi-presidential regime was set up. The populist character of the ruling party was evident in its heterogeneous nationalist ideology, in which the goal of state-building enjoyed absolute primacy. The party developed a clientelist pattern of mobilizing support: political support was rewarded by social and economic privileges for certain societal groups. These traits suggest that democratization was incomplete and a defective democracy with illiberal and delegative characteristics was established. By the end of the 1990s, the regime faced a serious legitimacy crisis, which was simultaneously a product of its successful state-building, which rendered nationalist mobilization less convincing, and its weak socio-economic performance. The legitimacy crisis was accompanied by a leadership crisis when its charismatic leader died. The regime change in 2000 had the form of regular electoral change of government. Crucial for democratic consolidation since 2000 were constitutional reforms that decentralized power and introduced a parliamentary system. A relatively stable moderate pluralist party system developed, in which the former ruling nationalist party transformed itself from an extreme right nationalist movement to a centre-right party. The government proved that it was stable and legitimate enough to hold back a dangerous anti-democratic protest movement.

A comparison of Serbia and Croatia shows that differences between the two regimes in the 1990s are more significant than similarities. Certain populist and authoritarian preferences were common to both regimes, but their party systems, level of institutionalisation, and the very mechanism of rule were different. In Serbia, an institutionally diffuse personal regime established by Milošević was supported by his disciplined party, an extreme right-wing coalition partner, a repressive apparatus, and semi-legal networks. In Croatia, an institutionally stable semi-presidential regime existed, which relied on a safe parliamentary majority and which displayed some delegative features that weakened the horizontal responsibility of executive power. Similarly, the regimes established in both states after 2000 also differ, particularly along the two dimensions of institutionalization and the structure of the party system. In Serbia there is a strong right and left extremist potential that is represented by parliamentary parties, and repressive legacies of the Milošević regime still exist in the judiciary, police, army, and secret services. In Croatia there is no visible left populism and the extreme right potential is confined to minor parties and extra-parliamentary groups, while institutional reforms by the governments after 2000 successfully reorganized repressive services and introduced improvements in the judiciary.⁵⁴ There are several reasons for these differences, ranging from the unresolved stateness issue and postponed transformation in Serbia to a different structure of societal cleavages as the basis for party systems in both states.

State-building and War

The Serbian state-building programme was characterized by unclear and changing objectives. The vague mobilizing formula 'all Serbs in one state' could imply different forms of state, encompassing different territories and populations. However, it

necessarily implied a state construction in which a dominant Serb position would be secured. It also implied that the goal could be achieved only through violent means. The outcome was disastrous for Serb expansionism; it was defeated in Croatia and Kosovo, and was saved from defeat in Bosnia-Herzegovina only through international pressure to end the war in 1995 through territorial division of Bosnia-Herzegovina into a Muslim-Croat and Serb entity within a weak federal framework. The state-building effort remains open to this day because of the unresolved question of the future status of Kosovo. To consolidate its democracy, Serbia has not only to finally stabilize its stateness and its internal structure with the remaining province of Vojvodina, but also to dissolve hidden repressive structures in the police, parts of the army, and secret services inherited from the previous regime.

Croatia started democratic transition with a clear state-building goal of becoming an independent state in its constitutionally guaranteed borders. This goal was jeopardized by Serb insurrection and an attempt at secession of about a third of its territory, but also by the 'hidden agenda' of participating in the division of Bosnia-Herzegovina pursued by the Croatian president and the extreme nationalist wing of his ruling party. The latter agenda had to be abandoned under international pressure and because of internal opposition. This had, in fact, a positive impact on Croatian state-building, since only the initial goal was a realistic one. This first goal was achieved through the Croatian military victory in 1995 against the Serb para-state in Croatia, and through a peaceful integration of a remaining part of occupied territory in Eastern Slavonia in 1998. The military victory was possible only because Croatia was able to set up a regular army after a chaotic initial phase in which paramilitary and semi-legal forms of armed units prevailed. This also had a positive impact on democratization. After 2000, the army was free of the politicization that was associated with it in the Tuđman era. Today, further consolidation of democracy in Croatia can rely on a complete and stable state framework and on democratically institutionalized civil-military relations. This is still a decisive difference between the two states.

NOTES

1. Slobodan Milošević started his authoritarian-populist coup against his opponents in the League of Communists of Serbia in September 1987. This action marked the beginning of the lethal crisis of the Yugoslav federation and of a political dynamic that has not yet come to an end, with the issue of the future status of Kosovo still to be resolved.
2. A comprehensive overview of a vast literature dealing with the causes of the dissolution of Yugoslavia and the 'wars of Yugoslav succession' is now offered in Sabrina P. Ramet, *Thinking about Yugoslavia. Scholarly Debates about the Yugoslav Breakup and the Wars in Bosnia and Kosovo* (Cambridge: Cambridge University Press, 2005).
3. The impact of the 'Ten Days War' in Slovenia in 1991, although indirectly important for the political processes in Serbia and Croatia, will be left aside. The conflict in 2001 in Macedonia between the Macedonian army and the Albanian rebels is not considered a war; also, it was of no importance for the processes under scrutiny.
4. The problem of 'stateness' as a prerequisite for democracy is especially emphasized in Juan J. Linz and Alfred Stepan, *Problems of Democratic Transition and Consolidation* (Baltimore, MD: The Johns Hopkins University Press, 1996), pp. 16–37.
5. The best-known formulation of the thesis is given in Claus Offe, 'Das Dilemma der Gleichzeitigkeit. Demokratisierung und Marktwirtschaft in Osteuropa', *Merkur*, Vol. 45, No. 4 (1991), pp. 279–92; Jon Elster formulated a similar thesis a year before in his text 'The Necessity and Impossibility of

- Simultaneous Economic and Political Reform', in: Piotr Płoszajski (ed.), *The Philosophy of Social Choice* (Warsaw: IfiS Publishers, 1990), pp. 309–16.
6. Slovenia is ranked first in the Bertelsmann Transformation Index 2006 (see www.bertelsmann-transformation-index.de) and since 1991 the Freedom House Index has rated Slovenia as free in both dimensions of Civil Liberties and Political Rights.
 7. This does not mean that the former processes didn't have a significant impact upon the transformation paths of the two analysed cases – in fact we think that they did – but rather that the accumulated outcomes of the more protracted historical developments combined to produce this initial framework from which the transformation started (in form of social and economic structures, socialization patterns, features of the dominant political discourse, presence or absence of certain types of actors) and can be accounted for through the analysis of this framework.
 8. Juan Linz, characterizes Yugoslavia in the mid-1970s as 'democratizing and pluralistic authoritarianism'; cf. his article 'Totalitarian and Authoritarian Regimes' in Fred I. Greenstein and Nelson W. Polsby (eds), *Handbook of Political Science* (Reading, MA: Addison-Wesley Publishing Co., 1975), Vol. III, pp. 175–357, here pp. 345–6.
 9. A theoretical analysis of the 'structural' deficits of the Yugoslav economic model is given for example in Svetozar Pejovich, 'A Property-Rights Analysis of the Yugoslav Miracle', *The Annals of the American Academy of Political and Social Science*, Vol. 507, No.1 (1990), pp. 123–32. His diagnosis: 'The conclusion is that the labor managed economy is not a viable institutional arrangement' (p. 132).
 10. John R. Lampe, 'The Two Yugoslavias as Economic Unions', in Dejan Djokić (ed.), *Histories of a Failed Idea 1918–1992* (London: Hurst & Company, 2003), pp. 180–95.
 11. Dijana Pleština, *Regional Development in Communist Yugoslavia: Success, Failure, and Consequences* (Boulder, CO: Westview Press, 1992).
 12. A detailed analysis of the Serbian programme is given in the following section.
 13. Ivo Bičanić and Vojmir Franičević, 'Understanding Reform: the Case of Croatia', available at http://www.wiiv.ac.at/balkan/files/GDN_UnderstandingReform_Croatia.pdf, pp. 2–9.
 14. This all-Yugoslav reform concept was not able, for institutional and political reasons, to achieve the objectives for a successful democratic transition in multinational states recommended by Linz and Stepan (note 4) (pp. 33–7 and 381–6): the sequence of elections (federal before 'regional') and the importance of state-wide democratic parties. The first strategy was precluded by the Yugoslav constitution, since all-Yugoslav direct elections were not provided by any of the federal institutions and no political consensus necessary to introduce them was possible. Prime Minister Marković established his all-Yugoslav Reformist party, which competed in most of the founding elections in the Yugoslav republics, but was not successful.
 15. A detailed account of the war is offered in Branka Magaš and Ivo Žanić, *Rat u Hrvatskoj i Bosni i Hercegovini 1991–1995* (Zagreb and Sarajevo: Jesenski i Turk/Dani, 1999), pp. 27–158.
 16. Cf. Hannes Grandits and Carolin Leutloff, 'Diskurse, Akteure, Gewalt – Betrachtungen zur Organisation von Kriegeskalation am Beispiel der Krajina in Kroatien 1990/91', in Wolfgang Höpken and Michael Riekenberg (eds), *Politische und ethnische Gewalt in Südosteuropa und Lateinamerika* (Köln: Böhlau, 2001), pp. 227–57.
 17. For a description of the causes, dynamics and consequences of this war see Magaš and Žanić (note 15), pp. 161–287.
 18. A description of this is given by the retired general of the Bosnian Army Jovan Divjak, 'Prva faza rata 1992–1993: borba za opstanak i nastanak Armije RBiH', in Magaš and Žanić (note 15), pp. 181–205.
 19. *Ibid.* This involvement has to be distinguished from actions of the Croatian army on B-H territory in autumn 1994 and spring and summer 1995, which were carried out in preparation of the final military action against Serb forces in Croatia (operation 'Storm' in August 1995) and which were agreed upon between the Croatian and the B-H government.
 20. Cf. Jens Reuter and Konrad Clewing (eds), *Der Kosovo Konflikt: Ursachen, Verlauf, Perspektiven* (Klagenfurt and Wien: Wiesner Verlag, 2000).
 21. This is aptly recalled in Dušan Pavlović's essay 'Ko je zaslužan za uspeh srpske tranzicije' ('Who can claim credit for the success of the Serbian transition'); in Pavlović, *Akteri i modeli* (Belgrade: Samizdat B92, 2001), pp. 153–70.
 22. *Ibid.*, pp. 162–4.
 23. Laura Silber and Allan Little, *The Death of Yugoslavia* (London: Penguin Books, 1996), pp. 58–69.
 24. Milošević obtained 65 per cent and his party, SPS, 46 per cent of votes, but nearly 80 per cent of seats; see Vladimir Goati, *Izbori u SRJ od 1990. do 1998* (Belgrade: Centar za slobodne izbore i demokratiju, 1999), pp. 27–50 and 285–7.
 25. See Silber and Little (note 23), pp. 111–33.

26. Goati (note 24), pp. 187–201. Indicative of this dominant position is the fact that Milošević was accepted as key player by all international actors, although he was the president of only one federal state, Serbia, in Yugoslav federation. After the end of his second term in office as Serbian president, Milošević was elected by the Yugoslav federal assembly as president of FR Yugoslavia in July 1997. The mode of election was changed to direct election and it was in the election for his second term as Yugoslav president in September 2000 that he was defeated by Vojislav Koštunica. An attempt to manipulate the election result prompted mass political revolt and the Serbian ‘October revolution’ that brought Milošević down.
27. Marija Obradović, ‘Vladajuća stranka’, in Nebojša Popov (ed.), *Srpska strana rata* (Belgrade: Republika, 1996), pp. 472–500.
28. Under the conditions of party pluralism and after it became clear that Serb mass meetings and protests couldn’t be used against Slovenia and Croatia, the regime had to change the way in which it mobilized support. On the one hand, the impetus of the movement was used to mobilize electoral support for SPS in Serbia; on the other hand, many movement activists were now used as militants in the ensuing wars in Croatia, Bosnia-Herzegovina, and Kosovo.
29. Obradović (note 27), pp. 490–3; cf. also Silber and Little (note 23), pp. 119–33. This ominous coalition is well described by one of the protagonists of the events, the federal defence minister Veljko Kadijević, in his book *Moje viđenje raspada: Vojska bez države* (Belgrade: Politika, 1993).
30. According to terminology proposed by Giovanni Sartori, *Parties and Party Systems: A Framework for Analysis* (Cambridge: Cambridge University Press, 1976).
31. Persistent electoral fraud is well documented, and also the fact that the regime used state electronic media as its propaganda instruments; cf. Goati (note 24), pp. 128–32, 146–7, 166–8.
32. Pavlović (note 21), p. 222–35.
33. According to the official report, Koštunica won 50.5 per cent and Milošević 38.6 per cent of votes. The Serbian ‘October revolution’ is discussed in Ivana Spasić and Milan Subotić (eds.), *Revolucija i poredak. O dinamiци promena u Srbiji* (Belgrade: Institut za filozofiju i društvenu teoriju, 2001).
34. Mirjana Kasapović, ‘Strukturalna i dinamička obilježja političkog prostora i izbora’, in Ivan Grdešić et al., *Hrvatska u izborima ‘90* (Zagreb: Naprijed, 1991), pp. 15–48.
35. Formulation by Rogers Brubaker, as cited in Linz and Stepan (note 4), p. 25. It should be stressed, however, that under international pressure (since this was a precondition for recognition as a state) Croatia adopted a constitutional law on minorities, which guaranteed substantial rights to the Serbian and other national minorities.
36. See Mirjana Kasapović and Nenad Zakošek, ‘Democratic Transition in Croatia: Between Democracy, Sovereignty and War’, in: Ivan Šiber (ed.), *The 1990 and 1992/93 Sabor Elections in Croatia* (Berlin: edition sigma, 1997), pp. 11–33. It is important to stress that parliamentary elections – without any special mechanisms – produced a proportional share of Serbian representatives reflecting their share in the population (12 per cent in 1991). Most of these parliamentarians left the parliament within a year of the elections.
37. Even the referendum question in May 1991 sought approval for the option of Croatia as a sovereign state being member of a confederative union.
38. The implication, of course, was that Serbs could unilaterally impose the new borders by force, given JNA support and their military superiority. They did not recognize the same right for the Kosovo Albanians – who in fact were a huge majority in Kosovo – on the ground that they were only a ‘national minority’ and not a nation.
39. Silber and Little (note 23), pp. 291–302.
40. Ibid., pp. 319–23.
41. Mirjana Kasapović, ‘Demokratska konsolidacija i izborna politika u Hrvatskoj’, in: Mirjana Kasapović (ed.), *Hrvatska politika 1990–2000* (Zagreb: Fakultet političkih znanosti, 2001), pp. 15–40; Nenad Zakošek, ‘Political Parties and the Party System in Croatia’, in Šiber (note 36), pp. 34–49.
42. Goran Čular, ‘Vrste stranačke kompeticije i razvoj stranačkog sustava’, in Kasapović (note 41), pp. 123–46; Nenad Zakošek and Goran Čular, ‘Croatia’, chapter 13 in Sten Berglund, Joakim Ekman, and Frank H. Aarebrot (eds), *The Handbook of Political Change in Eastern Europe*, 2nd ed. (Cheltenham: Edward Elgar, 2004), pp. 451–92.
43. Goran Čular, ‘Političke stranke i potpora demokraciji’, in Goran Čular (ed.), *Izbori i konsolidacija demokracije u Hrvatskoj* (Zagreb: Fakultet političkih znanosti, 2005), pp. 123–79. Nevertheless, participation in national elections remained 65–75 per cent higher in Croatia than in some comparable post-communist democracies (e.g., Poland, Hungary).
44. On the definition of defective democracy and its varieties see Wolfgang Merkel, ‘Embedded and Defective Democracies’, in Aurel Croissant and Wolfgang Merkel (eds), *Democratization*, Special

Issue, 'Consolidated & Defective Democracy? Problems of Regime Change', Vol. 11, No. 5 (2004), pp. 33–58.

45. Bićanić and Franičević (note 13), pp. 16–9.
46. James Gow, *Triumph of the Lack of Will: International Diplomacy and the Yugoslav War* (New York: Columbia University Press, 1997).
47. Julie Mertus and Vojin Dimitrijević, 'The International Criminal Tribunal for the Former Yugoslavia' available at http://www.salzburgseminar.org/ihjr/si/si/Team_10_Full_Text_Report.pdf, p. 24.
48. It seems therefore that even the independence of Kosovo could be justified on the basis of this opinion, since the province was a territorial entity recognized by the last constitution of Yugoslav federation from 1974.
49. Mertus and Dimitrijević (note 47), p. 25.
50. *Ibid.*, p. 28.
51. *Ibid.*, pp. 85–6.
52. Since the beginning of 1998, when an official coalition between SPS and SRS was established, the regime adopted repressive measures against the remaining independent media, opposition parties, independent student groups, and academic institutions. Some prominent intellectuals and opposition leaders were killed, such as Slavko Ćuruvija, publisher of an independent daily newspaper, in April 1999, and former president of Serbia, Ivan Stambolić, in August 2000; two attempts at assassination of Vuk Drašković, leader of SPO, failed in October 1999 and June 2000.
53. Cf. Houchang E. Chehabi and Juan J. Linz, 'A Theory of Sultanism' in Houchang E. Chehabi and Juan J. Linz (eds), *Sultanistic Regimes* (Baltimore, MD: The Johns Hopkins University Press, 1998), pp. 3–48.
54. It must be stressed however that the judiciary and state administration remain weak points in Croatia, as is repeatedly stressed in the Progress reports of the European Commission, see the *Croatia 2007 Progress Report*, available at http://ec.europa.eu/enlargement/pdf/key_documents/2007/nov/croatia_progress_reports_en.pdf, esp. pp. 7–15.

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