

SERBIAN RADICAL PARTY: POPULIST AND INCONSISTENT POLICY AND IDEOLOGY APPLIED IN LAW ON PUBLIC INFORMATION AND LAW ON UNIVERSITY IN 1998*

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Serbian Radical Party had crucial role in passing two Laws in late phase of Slobodan Milosevic regime that are among the least democratic one: 1. Law on Public Information and 2. Law on University. To be able to understand how they could participate in that process it was crucial to follow the populist rhetoric that Radical politicians and policy makers in Serbia cherished since their formation. Focus on state egalitarianism, right-wing ideas on national questions, collectivism and lack of respect towards individual freedom remained dominant for Radical party even in the last decade of the 20th century.

Key words: Serbian Radical Party, Serbia, Yugoslavia, Law on University, Law on Public Information, populism

*S*ERBIAN POPULIST MODEL STARTED TO DEVELOP as early as 19th century through egalitarian doctrine of Svetozar Markovic. The foundation of populism in Serbia's 19th century political arena is laid in Radical party resistance to modernization of society according to the Western model but

* This project has received funding from the European Union's Horizon 2020 research and innovation programme under grant agreement No 822682. It reflects only the authors' view and the Agency is not responsible for any use that may be made of the information it contains.

following the influences from Russia. Radical party was the first party of the people that spread the network of party branches across entire Serbia and build strong party clientelism. Nikola Pasic, one of the most prominent politicians in Serbian and later Yugoslav arena of late 19th and early 20th century was a great example of a modern politician who embraced the populist ideas of Svetozar Markovic and added national liberation and unification (Perović 1985, 24–38; Perović 1993, 108–127). In policy of his Radical party we can mixture of social egalitarianism and right-wing ideas of national unification of Serbs within one state. Collective freedom was supposed to be above individual one. The ideas of Radical party managed to survive even in post 1945 Yugoslavia as Communist party found a very fertile ground laid by radical ideologists. One of the foundations of socialist populism in post-1945 Yugoslavia was request for economic and social egalitarianism (Popov 1993, 4–31). Even after the dissolution of Second Yugoslavia relation towards market economy has not changed in the lenses of radical party until 21st century and by analyzing its main party documents we can still see that Radical party idea of economy is a state economy that serves for maintaining egalitarianism and for achieving national goals. Both laws, Law on public information and Law on University, that were passed in the National Assembly in 1998 with strong support of Serbian Radical Party are putting collective rights and “state interest” in front of the individual one. The logic of Serbian radicals didn’t change although world changed for couple of times since 19th century (Brubejker 2017, 329–339).

In accordance with the Law on political parties (Decision of Constitutional Court, Službeni glasnik RS 36/2009 and 61/2015), a political party is founded in a statutory meeting by enacting establishing act, program and statute, and through electing person authorized to represent political party. Apart from establishing act of the party that contains general data on the party but also on person authorized to submit party’s application for the Registry, remaining two documents, i.e. party program and the statute are suited for presentation of political program that could have integrated many populist ideas.

The statute of political party is a document that to certain extent expatiate general needs (issues of organizational and administrative character) of an organization, so in most cases it is not suited for implementation of populist ideas. Issues aimed to creating sympathy within widest electoral body are placed inside programs of political parties. Namely, political programs of parties contain description of political principles, goals and values political party pleads for.

We can offer several pragmatic answers for question what is populism and what brings to some idea expressed, for instance in a political program of a party, such a pejorative connotation.

Populist ideas in politics usually are a list of (nice) wishes that sometimes exclude each other, mostly are infeasible, and sometimes can be even dangerous, depending on region they are promoted in. Anyway, for all of them it is instrumental they are utopian, and that is why citizens their sympathy and their votes entrust to certain political options. When parties that were entrusted because of those “ideas” cannot materialize them, by the nature of things they materialize some other ideas that can be either better or worse than those utopian ones, but instrumental is that not a part of electoral body entrusted votes for them (Vemer-Miler 2017, 19-48).

One of political parties that at the beginning and during mid-1990s, even later, was recognizable for its populist tendencies was *Srpska radikalna stranka* (Serbian Radical Party, later on: SRS).¹ Its political programs from 1991 and 1996 contain many contradictory and incongruous stipulations.

Let's take for example articles 2 and 14 of former program of SRS (1991). That program in article 2 suggested to make indirect continuity with former states, in order to avoid certain procedures regarding recognition of sovereignty of new state by international community, while article 14 of the program imperatively listed refusing payment of foreign debts of the communist state, the one continuity is proposed with, citing explanation that those debts were “illegally based”. As a rationale for this idea listed was the following: “Instead of debts repayment, we would offer Western creditors full ownership on failed investments, factories built from these credits, so they can organize production in them.” In that manner we will force them to bring fresh capital, Western organization and technology, and we will solve economic crisis. This unrealistic idea was aimed exclusively for gaining popularity with voters, and was not, in any of its segments, realistic political construction, and contains a potential for developing a long-term distrust towards international community.

¹ Populist ideas in the space of former Yugoslavia were extremely popular in early and middle 1990s. Many political parties of countries in the region were listening and guessing what citizens want and conceptualized their unrealistic program in accordance with those wishes, avoiding facing painful reality. Although this small analysis focused on SRS, this party is not essentially different that other political parties in that period.

The voice of populism (in the political program of 1991) was aimed at workers and village people, in multiple ways. On one side predicted was ever popular reduction of state administration and abandoning of its privileges, something that is popular topic among non-qualified workers and peasants all over the world, while, on the other side, despite coming privatization and abandoning system of planned economy, guaranteed was state purchase at stimulation prices of all strategic agricultural products, coupled with import ban of foreign food, except for citrus fruit.

The privatization of means of production and of economy branches, to domestic and foreign investors with banned reduction of labor, i.e. dismissal of workers, is one of favorite populist stipulations of all (left and right) political parties of all provenances at the end of last century.

Therefore, within just a few program articles a reference has been met, reference of free market i.e. privatization through auctions to domestic and foreign buyers, while on the other hand establishing of state obligation to buy all agricultural products, reduce state administration and decrease income tax, "while in near future taxing of wages and work would be abolished." On one side the program declared full privatization to domestic and foreign buyers, with a ban to dismiss workers, while on the other side (Article 29 of 1991 Program) it emphasized that internal organization is management matter, i.e. "Organization of work is not a service of social care." "Economy is subject to efficiency, while social care and benefits fit into domain of social policy".

Anyway, that was not last of consumer policy in that program. Except it envisaged (by Article 25 of 1991 Program) abolition of contributions for social, pension and disability funds, which would bring about that all citizens with 65 years of life or 40 years of work service have same pensions, envisaged also was giving free plots to citizens who accept obligation to build houses on them within 10 years in order to finish housing crises, which is, in comparison with other stipulations on the verge of realistic program, of course to some extent.

By comparison of next party program (one of 1996) noticeable is matrix transformation, from economy populism in 1991 towards harder neoliberal program. In political part of the program, although democratic doctrines were accepted, they were often distorted and interpreted in a populist and demagogic manner (Vukomanovic 2000, 362).

The program of radicals of 1996 is typical abuse of liberal democracy for populist intentions. On one side the program advocated disabling self-will of bureaucracy, while in another place advocated rigorous control of bureaucracy by all three branches of power; everything in order to serve people, without transgressing empowerments given by law. Anti-bureaucracy and anti-communist populism are theses upon which SRS, as well as SPS, during 1990s consolidated their rule, and then some of those ideas turned into reality (Vukomanovic 2000, 362–363).

1. THE LAW ON PUBLIC INFORMATION, 1998

One of the laws enacted through speedy procedure in late 1990s was the Law on public information. Apart from big fines for founders and publishers of media, and responsible editors, one of most problematic articles of the law is Article 27 that read: “Public media cannot entirely or partly transmit or broadcast with a delay radio-television program of political-propaganda content in Serbian and languages of national minorities in the Republic of Serbia of foreign radio-broadcasting organizations whose founders are foreign governments or their organizations, except for programs that are transmitted live or broadcasted with a delay on the basis of reciprocity specified in a bilateral contract.” Professor Vladimir Vodinelić wrote in that 1998 for respectable weekly “NIN” that this article limits freedom of information and that controversial part of the stipulation is not the one regarding “reciprocity contracts” for contracts of that type do not exist, but problem is construction “program of political-propaganda content”. Professor Vodinelić emphasized flexibility of that norm, for many things can be qualified as propaganda. For instance, broadcast on kindergartens in Sweden that provide higher level of quality than those in Serbia can be qualified in certain context as propaganda content, for it can mean that government does not do its job in adequate manner (retrieved from <http://www.nin.co.rs/arhiva/2495/3.html>) In Article 10 the Law forbids publishing of anyone’s photo or statement without explicit consent of that person. Hypothetically, if a sports match is recorded, one should obtain consent of spectators that are visible in the recording.

A year after the law on public information was implemented weekly “Vreme” (Weekly “Vreme” of October 23, 1999) published that, regarding the Law on information in Serbia fined were some twenty media, whereas some like “Glas”, “Blic” and “Dnevni telegraf” were fined several times. From media scene disappeared

“Dnevni telegraf”, “Naša Borba”, “Evropljanin”. Fined ones that survived are heavily in debt and dread of new fines. State had, according to first estimates (“so far”) fined disobedient ones with 16 million dinars”.

2. THE LAW ON UNIVERSITY, 1998

The Law on University of 1998 (Službeni glasnik Republike Srbije 20/98 of May 28, 1998) abolished autonomy of universities, and it was enacted as a reaction of authorities to mass citizens and students’ protests and lost elections in 1996, that virtually forced authorities to recognize election results. Absolute control over universities was given to the government, who appointed and discharged rectors (Article 110) and deans (Article 123). Appointment of professors and teaching assistants also became centralized. They were chosen by a dean who first picked a commission to report to him, and if report was affirmative, he would ask approval from ministry of education.

Anyway, it is even more interesting that government appointed managements of faculties – managing boards. Management boards had no autonomy, for their proposals were not binding for the government, but government itself chose which students and professors to appoint into management boards (Articles 115 and 116). The dean chose upon report of expert commission he himself appointed. Department had a right to recommend commission, but dean was not bound by those recommendations. The dean was not compelled to appoint a candidate even when he met all requirements, and was not obliged to explain his decision. When for an employee (except for full professor) expired time he was appointed for, dean was not obliged to announce opening for reelection or promotion, even when mentioned candidate fulfilled all legal requirements for it (Articles 87-95). If a dean did not choose, he could start additional employment with a candidate of his own choosing, without announcing vacancies (Article 94). Having in mind a dean did not have to choose a candidate fulfilling all expert requirements, it meant he could meet non-university criteria (so-called “moral-political correctness”, political affiliation, national and religious affiliation), which is contrary to international documents Yugoslavia signed and ratified, also to constitutional regulations concerning ban of discrimination, regardless of person’s character.

After enacting of that Law all professors and teaching assistants were obliged to sign new employment contracts, although they already had valid employment.

Through these contracts they effectively obliged to accept the new Law (Article 165), for obligation of signing contract, established by the Law on university, was contrary to the Law on employment of Serbia that did not require obligatory contract for employed persons. The academic councils were formed in accordance with the faculty and university statutes, legislated by managing boards. In most faculties academic councils did not include all professors and teaching assistants, but their delegates chosen by deans or departments, and department chiefs were, usually, appointed by deans. Certain stipulations of 1998 Law, especially the one on obligatory employment contract, had retroactive effect; despite during enactment procedure was not established common interest as constitutional basis for retroactivity.

Two laws that were passed in Serbia in 1998 show that the character of Serbian radical party politicians and policy makers did not change much. Although Serbia experienced different ideological systems since the late 19th century until late 20th century, radical politicians kept their narrative similar to the original ideas of social egalitarianism, national ideas and importance of collective freedom above individual ones. Their fixation with Russia remained and once Tzar was gone and the USSR collapsed they found “older brother” in Vladimir Volfovich Zhirinovskiy. However, in similar manner as their Russian colleague they stayed only junior partners in ruling coalition in 1990s.

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SRPSKA RADIKALNA STRANKA: POPULISTIČKA I NEKONZISTENTNA POLITIKA I IDEOLOGIJA I NJENA PRIMENA U ZAKONU O JAVNOM INFORMISANJU I UNIVERZITETU U 1998.

Srpska radikalna stranka je imala krucijalnu ulogu u procesu legislature dva zakona koji su obeležili poslednju epohu režima Slobodana Miloševića: Zakon o javnom informisanju i zakon o Univerzitetu. Oba zakona su ostala zapamćena kao dva primera autokratskog režima koji se urušio nedugo nakon usvajanja istih. Radi potpunijeg razumevanja uloge koju su radikali imali u tom procesu neophodno je razumeti populističku retoriku kojom su se koristili u tom i prethodnom periodu. Desničarske ideje, narodnjaštvo, kolektivizam, kao i manjak poštovanja individualnih sloboda ostali su dominantni u kreiranju politike Srpske radikalne stranke u poslednjoj deceniji XX veka.

Ključne reči: Srpska radikalna stranka, Srbija, Jugoslavija, Zakon o javnom informisanju, Zakon o univerzitetu, nacionalizam, populizam.

*Rad prijavljen: 25. XI 2019.
Rad recenziran: 11. XII 2019.
Rad odobren: 30. XII 2019.*