

Can Democratic Elections Solve a Civil War?

The case of Serbia and Kosovo

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The dominant international method of crisis management and conflict resolution in cases of civil war is democratic elections, to obtain political leaders who can deploy their democratic legitimacy to solve the conflict and end the violence. The case of Serbia and continuing delays in a resolution to the status of Kosovo demonstrate the fundamental misunderstanding in European and American policy of the purpose and virtues of democratic elections and the counterproductive consequences for both a resolution of fundamental questions of statehood and for democratic development more generally (as in Iraq, Palestine, and Sri Lanka currently). Those who care about democracy and an end to violence need to rescue both values from this mistake.

For more than six months until May 2007, negotiations to settle the status of Kosovo were stalled because the United Nations envoy Martti Ahtisaari and his diplomatic team in Vienna agreed to the request from Serbian prime minister Vojislav Koštunica - first, for a delay of several months in the fall of 2006, long after Ahtisaari's initial negotiations deadline, so that Serbia could adopt a new constitution and hold parliamentary elections (although whether and when to do each had already been a subject of debate for several years in Serbian political circles); and second, for another four months after those elections in January 2007 while party leaders bargained up to the very last moment before a constitutional limitation would have required new elections over the formation of a new government. Despite genuine concern that the previous prime minister, Vojislav Kostunica, would ally with nationalists on the left and the right, Europe breathed a sigh of relief in May when the two parties of the previous government completed their complex negotiations over the distribution of ministries and continued the centrist, ostensibly pro-European coalition of 2004-07.

Once this Government was installed, however, the hopes for a rapid resolution in the United Nations Security Council, where negotiations over the Ahtisaari Plan moved in March, proved wrong. Belgrade is equally or even more insistent on its own position against the independence of Kosovo, no matter how supervised or conditional, and the Ahtisaari Plan. Moreover, the support for Belgrade from the Russian government, that whatever agreement was reached, it had to have Belgrade's explicit acceptance, moved from what appeared through these six months' delay as a useful vehicle for other Russian interests in the Security Council to a strong defense of the Serbian position and major obstacle to any current resolution. Each new proposal

to break the deadlock from the United States and its European allies on the Council, all of whom insist there is no alternative solution to independence, is met with more vociferous rejection. The contrast with the new Government's apparent change of posture toward the International Criminal Tribunal on the Former Yugoslavia, now moving quite quickly to dispatch more indicted war criminals to The Hague, makes this intransigence even more noticeable.

Mainstream commentary on this development describes Serbian politicians as stubborn and irrational in a nationalism which appears directly contrary to Serbian national interests. It also struggles to explain why President Putin and his advisors are being so insistent and obstinate themselves. Most agree that the issue of Kosovo's sovereign status does raise extremely delicate and thorny issues of international law and precedent. The face of external EU unity on the Ahtisaari Plan hides very strong internal disagreements about this outcome because of its potential legitimization of many other secessionist and irredentist conflicts. Recognizing this, Ahtisaari has taken pains to portray the Kosovo case as unique, a special case driven by a century-long history of conflict with Belgrade and its maltreatment of Kosovo Albanians. This decision will set no precedent, he insists. There is also genuine concern about the effect of this deadlock on the credibility of the United Nations: not for the first time since 1991 is the Security Council being seen as totally ineffective in dealing with the Yugoslav conflicts. Most recently, over Kosovo in 1998 and the prelude to the NATO bombardment of Serbia in March-June 1999, Western allies chose to bypass the Security Council entirely and take the issue to the G-8. The same maneuver began again in June 2007.

Can democracy solve a civil war?

A more serious issue for current international practice generally, however, is not discussed. Can democracy solve a civil war? More specifically, can governments that are dependent on the outcome of elections find solutions to the most fundamental questions of statehood - the borders, identity, and membership of a country? Even worse, can they do so if the conflict over statehood has been violent? The expectations in Europe and the US of electoral results in Belgrade and Priština for a resolution to Kosovo flow from a more general international approach currently dominant to crisis management and conflict resolution. The same expectations can be seen in the policy of the United States and its Coalition allies in Iraq that a democratically elected government will solve its civil war and end that violence. While one might avoid acknowledging that it is a civil war by the label "insurgency," this only obfuscates and reinforces, simultaneously, the general trap that this dominant method creates and the reasons for the understandable outrage at the Iraqi or Serbian governments and their internal quarrels for this failure.

The purpose of democratic elections in this international approach to conflict resolution is to establish legitimacy - and thus authority - for a leader or group of leaders who will then take the decisions necessary to end the violent conflict. Such legitimacy includes constitutional authority over the acceptable use of force domestically. Although police, judges, and army need professional training and equipment, their ability to enforce the law and limit civil violence depends on that authority -- the society-wide agreement on the government's right to do so.

A civil war, however, is a denial of that authority on the part of some substantial group within a country. Whether the violence is temporarily contained by international forces, as in Kosovo or Cyprus, or is raging, as in Iraq, Afghanistan, Sri Lanka, and Palestine currently, the precondition of electoral legitimacy - an agreement on the state itself, its borders, members, and constitutional principles - is absent. Elections are, in theory, a means to regulate competition for power so as to keep it peaceful by assuring to all who lose a particular election that the winners have gained

government office only temporarily. They accept the rules that decide who wins and loses a particular election and in this overriding consensus, each retains the hope of winning next time. The very name for competing actors - political parties - reflects the reality of elections: it is partial interests that are elected and govern at any particular time. Even the current diplomatic fad called “power-sharing” agreements, like their best representative in the grand coalitions formed occasionally in parliamentary systems, presume that the members of such an arrangement represent specific, particular constituencies and interests. They may agree to work together - to divide up the offices and jurisdictions of government among them - but none would accept the right of one member to represent the nation or their common interests because they disagree on fundamental principles. Power-sharing works on consensual decision-making, if at all.

Thus, political scientists argue that democracies are stable only if there is consensus on certain fundamentals which are then removed from the political agenda, treated as taboo, not subject to debate. For otherwise, if access to governmental power and privilege depends on periodic elections, contestants will appeal to voters on the very fundamentals on which people define themselves, their membership in the community, and feel obliged to be loyal - that is, on what divides them most acutely. Any election in that case raises a renewed threat of civil war. The reverse also holds. As long as there are foundational issues unresolved, as in Serbia/Kosovo or in Iraq, some part of the politically active population will oppose (with violence if necessary) the right of those elected temporarily to governmental office to act as if they represent the nation itself when they cannot, by definition.

Serbian politics

Can one political party or a coalition of political parties in Serbia decide to concede the loss of territory, particularly territory which is at the core of Serbian national identity? Vojislav Koštunica, leader of the Democratic Party of Serbia (DSS) and the prime minister in 2006, whose cooperation in the Vienna talks on Kosovo’s status was necessary but who refused to concede Kosovo’s independence, was and is labeled by outsiders a nationalist (a term now generally used for someone uncooperative with representatives of the international community). The unwillingness of Serbian President, Borislav Tadić, leader of the rival Democratic Party (DS), to challenge Koštunica on the Kosovo issue, confounded and still confounds most outside observers because his party is correctly considered pro-European (meaning “non-nationalist” in this lexicon) and his voting constituents, by all public opinion polls, are expressly disinterested in the fate of Kosovo. As is commonly said, they “know it is lost.” Moreover, Tadić’s victory in the presidential elections of June 2005 against Tomislav Nikolić, the leader of the right-wing, nationalist party, the Radicals (SRS), was roundly greeted as a victory for an early resolution of the Kosovo issue, too. His decision not to seize the moment and push for parliamentary elections, indeed to go along with Koštunica’s insistence on repeated delays, both surprised and disappointed many. The explanation for both Koštunica’s delays and Tadić’s concurrence was a matter of consensus within the political elite, however: the fear of losing the elections to the Radicals over the question of Kosovo.

In the event, the results of the parliamentary elections in January 2007 were nearly identical to the previous parliamentary elections in 2003. Only Tadić’s Democrats improved their standing by benefiting from the growing consolidation of the party system behind these three parties (especially the decline of the socialists [SPS], the liberal G17+, and Drašković’s Renewal Party [SPO]), but they did nowhere near as well as they had expected on the basis of the presidential contest in 2004. Koštunica was even more surprised, according to reports, that he did not

benefit from seizing the Kosovo issue full throttle with his insistence that the status of Kosovo as a constituent part of Serbia be made a fundamental constitutional principle in the new constitution proposed and adopted in December (a precondition for new elections which he had set long before).

Serbian Election Results, September 2000 – January 2007

	SRS	SPS	DSS	DS	G17+	SPO	Coalition***
2000*	8.6	13.2				3.5	64.4
2002**	22.5	3.2	31/67			4.5	28/31
2003*	27.7	7.4	18	12.6	11.7	7.8	
2004**	30/45	3.6	13	27/53		0.6	19
2007*	28.7	5.9	16.7	22.9	6.8	3.1	5.3

SOURCE: Center for Free Election and Democracy

*Parliamentary elections

**Presidential elections, with two rounds

***In every election, some parties have chosen to coalesce as a bloc; in 2000, it was the Democratic Opposition for Serbia of 18 parties; in 2004, it was Citizens' Group "Ahead Serbia"; in 2007, the Liberal Democratic Party (GSS, SDU, and LSV).

What many consider a surprising stability of electoral outcomes over time in Serbia - what one might call a negative equilibrium because at 29:17: 23, no decisive political change can take place if these proportions continue over the longer run - could, nonetheless, be interpreted as an argument against those parliamentarians who insisted for two years that international pressure to resolve the status of Kosovo was a serious threat to democratic forces (i.e., it was benefiting the Radicals and the Socialists). At the same time, this stability demonstrates that one cannot win on the Kosovo issue either. The consequence of this fear of the electoral consequences of the Kosovo issue - of being accused, successfully, by an electoral rival of being responsible to all future generations of Serbs for the loss of Kosovo -- is that no Serbian politician is willing to risk opening a debate on a Serbia without Kosovo and to propose a concept of Serbian nationhood without it. With little light between them on this existential question and, at the same time, its ability to crowd out discussion on other issues, voters also have no basis to change their partisan loyalties. Instead of party platforms and policies based on the major differences in the parties' social base, leaders jockey to appear to the electorate as the best representative of the Serbian nation and with each other to obtain the most favorable ministries and avoid risky portfolios. In either, the parliament is marginalized.

It is not only that the statehood question creates a stalemate in democratic politics, but also the reverse. As the new constitution demonstrates, the statehood conflict has a reciprocal effect on democratic development as well. This version was clearly intended as an instrument of foreign policy, to strengthen any Serbian government's bargaining hand against compromise in Vienna, not to redefine the fundamental, long-term political principles of the Serbian state on which democracy depends. A sideways glance at neighboring Bosnia and Herzegovina reinforces this danger that international positions on unsettled statehood questions to solve the foreign

policy and international security interests of external powers poses to democratic development. Continuing pressure there for constitutional reform keeps the statehood (is Bosnia one country or three) and constitutional (the powers of the entities vs. the central government) conflicts primary in Bosnian politics and thus favors the electoral fortunes of leaders and parties taking nationalist positions. The result is a delay in domestic political debate and policy on the socioeconomic questions that voters say matter most and in reducing the assumed authority of international administrators over Bosnian democracy. A parallel version, with equally growing popular cynicism about elections and participation, can be seen for similar reasons in Macedonia. Yet elected politicians fighting to keep or expand their voting constituency and win re-election against domestic rivals who do not make progress on externally set “Standards” (Kosovo) or “benchmarks” (Iraq) and in resolving these conflicts are strangely accused of a “lack of political will.”

The consequences for the diplomatic community of their own expectation that Serbian “democrats” can “compromise” on an issue for which there is no compromise and can solve a problem of international policy (the criteria for international recognition of states) is two: (1) that there is no partner for their negotiations, and (2) that any settlement will continue to be subject to delays while Serbian politicians seek ways to avoid a decision.

It is easy to accept this focus on Belgrade in the European Union and the US, but the resulting stalemate on negotiating positions, other policy issues, and democratic institutionalization also applies to Priština. There, too, unity on the national question is a political imperative of democratic elections. No compromise is possible with the goal of independence, and the necessity of this unity for effective bargaining internationally prevents political parties from debating their differences on the economic and social policies that matter to their constituents. Indeed, international pressures for a rapid end to the uncertainty over status are intensified by this electoral effect. Not only does the diplomatic community say they fear violence in the streets because of growing impatience among Kosovo Albanians, but their urgency is actually based on the dire economic situation which, under the circumstances, is said to require the access to IMF and World Bank loans and foreign direct investment that only sovereignty brings. Domestic solutions are on hold there, too, while electoral rivals work hard to restrain their competition until statehood is gained.

Is the problem democracy?

Those who care deeply about democratic government see worrying signs on the horizon, from growing popular disillusionment with its economic and social outcomes in Latin America to the subtle moves away from democracy promotion in American foreign policy toward the Middle East. The argument presented here, that democratic elections cannot solve fundamental issues of statehood and civil war, nor is that their purpose, could be read in this light. On the contrary, in fact, it is this very expectation internationally which is contributing to the damage. International solutions to civil war, state fragility, and even economic development increasingly center on democracy (elections, participation). Because fully functioning and funded democracies can, indeed, protect against civil war, state collapse, and economic crisis, it would be far better if major powers and their regional and international organizations focused on democracy protection than democracy promotion and on a more realistic appreciation for what democratic elections can be expected to solve and what they cannot. One can hope that the repeated act of going to the polls may instill habits of democracy in Serbia and Kosovo and provide a buffer against destabilizing internal quarrels (and their potential for violent expression) once they get beyond the state question and move to the difficult task of nation-building. Tragically, the worsening violence in Palestine, Iraq, and Sri Lanka demonstrates how difficult it is to get to that stage by means of competitive elections.

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