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# ELECTION ANALYSIS: THE 2017 PRESIDENTIAL ELECTIONS IN SERBIA

## **Summary**

The presidential election was held in Serbia on 2 April 2017. The political system in Serbia is a semi-presidential system in which the President of the Republic has relatively minor formal legal competencies and power. What definitely determines the power and authority of the President is the question of whether he/she is also the president of the party with the majority in the parliament. Serbia has taken on different forms of the semi-presidential system (presidential/prime ministerial) in the three previous mandates/periods. In addition to the current Prime Minister, Aleksandar Vučić, 10 other candidates also ran for President. Aleksandar Vučić won the presidency in the first round of the election for the President of the Republic of Serbia with 55.08% of the votes. The second candidate won 16.36% of the votes. As a consequence of the election, the political system in Serbia will move toward the presidential system.

Keywords: election, presidential election, Serbia, campaign

### 1. INTRODUCTION

The presidential elections was held in Serbia on 2 April 2017. Following the regular presidential and parliamentary elections in 2012. Serbia also held two snap parliamentary elections (2014, 2016). Last vear. Serbia's Prime Minister. Aleksandar Vučić, called for an early parliamentary election, in addition to the regularly scheduled local elections, in order to extend his mandate until 2020 and improve the results of his Serbian Progressive Party (Srpska napredna stranka) at the local level.<sup>1)</sup> The results of the elections fulfilled both of Vučić's goals, but with fewer seats won than in 2014, 2) and it was expected that the government would be formed quickly. However, this was not the case precisely because of the upcoming presidential election at which the current President of the Republic of Serbia and the former president of the Serbian Progressive Party, Tomislav Nikolić, could not count on an easy victory.<sup>3)</sup> Thus, it was a widespread belief among the ruling coalition that Aleksandar Vučić should be the one to run for president, which was finally decided in mid-February.

The political system in Serbia can be characterised as a semi-presidential system. In accordance with the different approaches to defining and specifying the semi-presidential political system and its effect on democracy and the party system<sup>4)</sup> Serbia can be defined as a semi-presidential system. There are several key features: The Constitution of the Republic of Serbia states that the President of the

Boban Stojanović, Fernando Casal Bertoa. There are 4 Reasons Countries Dissolve Their Parliaments. Here's Why Serbia Did, Internet, https://www.washingtonpost.com/news/monkey-cage/wp/2016/04/22/there-are-4-reasons-countries-dissolve-their-parliaments-hereswhy-serbia-did/, 04/06/2017.

Dušan Pavlović, "Serbian Elections 2016 – Election Analysis". Contemporary Southeastern Europe, 3(1), pp. 53-58.

Boban Stojanović, Early Elections, Formation of the Government and Impact of the Upcoming Presidential Elections, Internet, http://whogoverns.eu/early-elections-formationof-the-government-and-impact-of-the-upcoming-presidential-elections/, 04/06/2017.

<sup>4)</sup> Patrick O'Neil, "Presidential Power in Post-Communist Europe: The Hungarian Case in Comparative Perspective", Journal of Communist Studies, 9 (3), 1993, pp. 177–201. Maurice Duverger, "A New Political System Model: Semi-Presidential Government", European Journal of Political Research 8, 1980, pp. 165–187. Robert Elgie, "The Politics of Semi-presidentialism", in: Semi-Presidentialism in Europe (ed. Elgie, Robert). Oxford University Press, Oxford, 1999, pp. 1–21. Robert Elgie, "Semi-Presidentialism: Concepts, Consequences and Contesting Explanations", Political Studies Review 2(3), 2004, pp. 314-330. Robert Elgie. Semi-Presidentialism: Sub-Types and Democratic Performance, Oxford University Press, Oxford, 2011. Scott Mainwaring, Matthew Shugart. Juan Linz, "Presidentialism and Democracy", Comparative Politics 29 (4), 1997, pp. 449–471. Giovanni Sartori, Comparative Constitutional Engineering: An Inquiry into Structures, Incentives and Outcomes. Second edition. Macmillan, London, 1997.

Republic is chosen through a direct vote; Serbia also has a Government (Prime Minister and ministers), who are chosen by the parliament, which is the only institution that can withdraw its support and replace the Prime Minister and ministers. In all of the definitions of the semi-presidential system, the aforementioned are necessary conditions for characterising a system as semi-presidential. The most common third feature of the semi-presidential system is the question surrounding how much power and authorisation the President of the Republic actually has. The President of the Republic has relatively minor formal legal competencies and power, among which are the following:

1. Represent the Republic of Serbia in the country and abroad, 2. Promulgate laws upon his/her decree, in accordance with the Constitution, 3. Propose to the National Assembly a candidate for the Prime Minister, after considering views of representatives of elected lists of candidates, 4. Propose to the National Assembly holders of positions, in accordance with the Constitution and Law, 5. Appoint and dismiss, upon his/her decree, ambassadors of the Republic of Serbia, upon the proposal of the Government, 6. Receive letters of credit and revocable letters of credit of foreign diplomatic representatives, 7. Grant amnesties and award honours, 8. Administer other affairs stipulated by the Constitution.<sup>5)</sup>

"Serbia is a good example of a case in which similar institutional structure can lead to a different political outcome depending on the current divisions of political powers (between parties) and enables us to observe not only different phases (e.g. presidential, primeministerial and cohabitation), but also significant variations between those phases".<sup>6)</sup>

However, what definitely determines the power and authority of the President of the Republic of Serbia is the question of whether he/she is also the president of the party with the majority in the parliament. In this way, Serbia has taken on different forms of the semi-presidential system in the three previous mandates/periods. While Boris Tadić was the President of Serbia during his first mandate (2004–2007), his Democratic Party (*Demokratska stranka*) did not hold the majority in the parliament; he was a weak President and real power was in the hands of the Prime Minister (Vojislav Koštunica). During Boris Tadić's second mandate (2008–2012), the Democratic Party was the strongest party in the parliament and had nominated the Prime Minister. At that

<sup>5)</sup> Constitution of the Republic of Serbia, Official Gazette of the RS, No. 98/2006, Ar. 112.

<sup>6)</sup> Dušan Spasojević, Zoran Stojiljković, "Presidentialization of Political Parties in Serbia", in: The Presidentialization of Political Parties in West Balkans (ed. Passarelli Gianluca), Center for Monitoring and Research, Belgrade, 2017, pp. 164.

time, Boris Tadić possessed the greatest power in Serbia as the President of the Republic and of the Democratic Party, and he de facto directed the regime toward the presidential system. When in 2012 Tomislav Nikolić won the presidential election, he resigned as the president of the Serbian Progressive Party and thus almost immediately lost his power. In the following period, he performed protocol duties and had very minimal political power. From 2014, Aleksandar Vučić has had absolutely the greatest political power in Serbia as the Prime Minister, and at that time, the system was definitely directed toward the primeministerial model

"However, due to the general nature of the political system, it should be noted that presidential strength can override that of the Prime Minister only if it is based on the support of the parliament, or in other words, only if it is based on the control over the political party that has the majority".<sup>7)</sup>

Given that the changes in the government (relations in the parliament and changes of the ruling coalitions) in Serbia also happened at the time of the presidential elections (2008, 2012), they are of the utmost importance for the political system in Serbia precisely because the system swings from variants of a de facto presidential to parliamentary system depending on the actors in play.

### 2. ELECTORAL RULES

The President of the Republic shall be elected through direct election, by secret ballot, in accordance with the law.<sup>8)</sup> The election of the President is determined by the Law on the Election of the President of the Republic by which the President is chosen for a five-year term. The President of the National Assembly announces the election for the President of the Republic, and the period from the announcement to elections day cannot be less than 30 days or more than 60. The President of the National Assembly announced the presidential election on 2 March, and the election took place on 2 April, which is the minimum period foreseen by law. As such, the potential second round of the election was scheduled for Easter Sunday, which is otherwise defined as a non-working day by law.<sup>9)</sup> The law prescribes that the President is elected if he/she receives the majority of the votes. If none of the

<sup>7)</sup> Ibid, pp. 165.

<sup>8)</sup> Constitution of the Republic of Serbia, Ar. 114.

Birn, Serbian Presidential Elections Set for April, Internet, http://www.balkaninsight.com/ en/article/serbian-presidential-elections-set-for-april-03-02-2017, 04/06/2017.

candidates receive the majority of the votes, the election is repeated (second round) in a matter of 15 days from the day of the first round of the election. The two candidates who receive the greatest number of votes take part in the second / repeated round of the election. The candidate who receives the greatest number of votes during the second round wins the election for the President of the Republic.<sup>10)</sup>

#### 3. CANDIDATES AND CAMPAIGN

The period preceding the election is full of predictions of who the candidates will be, which ruling coalitions will form, as well as whether there is a chance that the opposition will unite around a single candidate. The presidency and the main board of the Serbian Progressive Party voted for Aleksandar Vučić, the current Prime Minister, as their presidential candidate in mid-February. All other coalition partners also supported Vučić, and he was the joint candidate of over 10 parties (all in the ruling coalition). The current President, Tomislav Nikolić, had expressed his intention to run for a second term in office and even wished to run as an independent candidate after the Serbian Progressive Party decided to nominate Vučić as its candidate; however, he eventually withdrew. 11) In addition to the current Prime Minister, who did not resign from his position and took part in the presidential election as a Prime Minister, 10 other candidates also ran for President. The opposition did not succeed in uniting around a joint candidate<sup>12)</sup> and had several candidates, of which two were given the best chances for an eventual second round of the election – the first is the former Ombudsman Saša Janković, who had received the support not only of many intellectuals, but also a considerable number of parties and movements in the country (Democratic Party), and the second is Vuk Jeremić, the former Minister of Foreign Affairs (2007–2012) and former president of the UN General Assembly (2012 – president of the 67th session), as well as the recent runner-up candidate for the position of

<sup>10)</sup> Law on the Election of the President of the Republic, Ar. 18 - 21.

<sup>11)</sup> Maja Zivanovic, Serbian President Nikolic Abandons Bid for Second Term, Internet, http://www.balkaninsight.com/en/article/still-no-agreement-between-serbian-president-and-prime-minister-02-19-2017#sthash.5rJvbqNE.dpuf. 04/06/2017.

<sup>12)</sup> Boban Stojanović, Nije bilo šanse za zajedničkog kandidata opozicije na predsedničkim izborima u Srbiji (There was No Chance for a Joint Opposition Candidate at the Presidential Election in Serbia), Internet, https://www.vice.com/rs/article/nije-bilo-sanse-za-zajednickog-kandidata-opozicije-na-predsednickim-izborima-u-srbiji?utm\_source=vicefbsr, 04/06/2017. Maja Zivanovic, Serbian Opposition Challenged to Agree on Presidential Candidate, Internet, http://www.balkaninsight.com/en/article/serbian-opposition-challenged-to-agree-on-presidential-candidate-01-16-2017#sthash.5V9beUBn.dpuf, 04/06/2017.

UN Secretary General. Other candidates were Vojislav Šešelj (Serbian Radical Party, *Srpska radikalna stranka*), Saša Radulović (movement 'Enough is Enough', *Pokret Dosta je bilo*), Boško Obradović (Dveri), Aleksandar Popović (Democratic Party of Serbia, *Demokratska stranka Srbije*), Nenad Čanak (League of Social Democrats of Vojvodina, *Liga socijaldemokrata Vojvodine*), Milan Stamatović (president of the Municipality of Čajetina), Miroslav Parović (Freedom People Movement, *Narodni slobodarski pokret*), and a surprising candidate, satirist Luka Maksimović who ran as the fictional character Ljubiša Preletačević Beli, <sup>13)</sup> after his spectacular results at last year's local elections.

The election campaign was exceptionally short, but it was marked by several things, the most significant of which was the campaign of the current Prime Minster and presidential candidate, Aleksandar Vučić. Five key things to note are:

- 1. The Prime Minister ran the campaign as a political official (did not resign as Prime Minister). Aleksandar Vučić used his position, as well as the day-to-day work of the Prime Minister, to run his campaign. Although the law does not stipulate that he must resign, it is evident that Vučić abused his position. <sup>14)</sup>
- 2. The Parliament was suspended.—On the day that the presidential election was announced, the President of the National Assembly made the decision that the parliament would not be in session for the duration of the campaign. This decision was justified by the supposed intent to protect the reputation and dignity of the parliament during the course of the campaign, but it was criticised by the opposition as there were no legal grounds for such a decision.<sup>15)</sup>
- 3. One candidate dominated in the media. The regulatory body for electronic media did not follow the representation of the presidential candidates in the media, although the law requires it to. In this way, a significant part of the monitoring of the electoral process was absent.

<sup>13)</sup> Natalia Zaba, Satirist Keeps his Place in Serbia's Presidential Race, Internet, http://www.balkaninsight.com/en/article/a-grand-come-back-of-beli-notices-obstacles-03-13-2017-1, 04/06/2017.

<sup>14)</sup> N1, *Analitičari: Vučić u kampanji "uzurpira" mesto premijera* (Analysts: Vučić Usurps the Prime Minister Position in the Campaign), Internet, http://rs.n1info.com/a237332/Vesti/Vesti/Radosavljevic-Vucic-u-kampanji-uzurpira-mesto-premijera.html, 04/06/2017.

<sup>15)</sup> Branka Trivić, Milan Nešić, Ognjen Zorić, Predizborno zaključavanje parlamenta Srbije (Pre-election Lockdown of the Parliament of Serbia), Internet, http://www.slobodnaevropa. org/a/predsednica-skupstine-srbije-blokada-parlament/28342983.html, 04/06/2017. Maja Zivanovic, Serbia Opposition Slate Parliament's Enforced Holiday, Internet, http://www.balkaninsight.com/en/article/opposition-accused-serbian-authorities-on-suspension-of-democracy-03-02-2017, 04/06/2017.

Independent organisations in the civil society sector that monitored the media during the campaign determined an absolute overrepresentation and media domination of Aleksandar Vučić, with over 60% of the total time allocated spent on television channels with a national frequency. Similar domination was evident in printed media as well. <sup>16)</sup> Not a single debate of candidates for the President of the Republic was held during the campaign.

- 4. The campaign was negative and dirty. The campaign was drenched in negativity that the ruling parties that supported Aleksandar Vučić directed at the opposition candidates. It is impossible to exactly define and measure the amount of the "dirty" content in the campaign, but it went as far as the ruling Serbian Progressive Party accusing the wife of the candidate Vuk Jeremić of being the boss of narcotics cartels in Serbia. <sup>17)</sup> In addition, the campaign was characterised by different methods of collecting votes, illegal recording of voters, monitoring who voted for whom, and the creation of lists with citizens' personal information. <sup>18)</sup>
- 5. The election was uncertain, and there was a push for greater voter turnout. –Aleksandar Vučić's rating was over 50% according to all public opinion research, and it was predicted that he would win already in the first round of the election, as none of the other candidates had a rating that went over 15%. <sup>19)</sup> Despite the noteworthy lead that Vučić had in comparison to the other candidates, there was an atmosphere of an uncertain election in the context of whether Vučić would need one or two election rounds to win. Such an atmosphere before the election could have led to greater voter turnout and during the entirety of the campaign, the opposition candidates emphasised that it was necessary

<sup>16)</sup> Maja Djuric, Vučić pobedio i na izborima i po minutaži u izveštavanju (Vučić Won the Elections and Greatest Media Coverage), Internet, http://rs.n1info.com/a243784/Vesti/Vesti/Vucic-pobedio-i-na-izborima-i-po-minutazi-u-izvestavanju.html, 04/06/2017. Matthew Brunwasser, Serbia Prepares to Elect a President Amid a Murky Media Landscape, Internet, https://www.nytimes.com/2017/03/30/world/europe/serbia-prepares-to-elect-a-president-amid-a-murky-media-landscape.html? r=0, 04/06/2017.

<sup>17)</sup> Maja Zivanovic, Drug Claim Sparks Outrage in Serbia Poll Campaign, Internet, http://www.balkaninsight.com/en/article/dirty-campaign-in-serbia-sparks-strong-public-reactions-03-21-2017, 04/06/2017.

<sup>18)</sup> Maja Nikolić, Borbu za "kapilarne" glasove prate ucene i prinuda (Struggle for "Capillary" Votes Accompanied by Blackmail and Coercion), Internet, http://rs.nlinfo.com/a227439/ Vesti/Vesti/Borba-za-kapilarne-glasove.html, 04/06/2017. Miodrag Sovilj, Šta stranke znaju o vama: Nađena baza podataka 400.000 ljudi (What Parties Know about You: Database with Information on 400,000 Individuals Discovered), Internet, http://rs.nlinfo.com/a237644/ Vesti/Vesti/Sta-stranke-znaju-o-vama-Procurili-podaci-400.000-gradjana.html, 04/06/2017.

<sup>19)</sup> N1, Ipsos: Pobeda Vučića u prvom krugu, Janković ispred Jeremića (Ipsos: Vučić's Victory in the First Round, Janković ahead of Jeremić), Internet, http://rs.n1info.com/a231350/Vesti/Vesti/Istrazivanje-Ipsos-stratedzik-marketinga.html, 04/06/2017.

to convince the voters to vote against Vučić in order to bring about the second round of the election <sup>20)</sup>

#### 4. ELECTIONS RESULTS

During the presidential election, 54.34% of the electorate voted, which is a lower turnout than during the previous parliamentary elections. Aleksandar Vučić won the presidency in the first round of the election for the President of the Republic of Serbia with 55.08% of the votes (approximately 2 million voters). Second was Saša Janković with 16.36% of the votes, third was the satirist Ljubiša Preletačević Beli (Luka Maksimović) with 9.43%, fourth was Vuk Jeremić with 5.66%, fifth was Vojislav Šešelj with 4.48%, while no other candidate won over 3% of the votes.<sup>21)</sup>

Table 1. Percentage of votes won by each presidential candidate at the

Presidential candidate	Percent of votes (%)
Aleksandar Vučić	55.08
Saša Janković	16.36
Luka Maksimović (Ljubiša Preletačević Beli)	9.43
Vuk Jeremić	5.66
Vojislav Šešelj	4.48
Boško Obradović	2.29
Saša Radulović	1.41
Milan Stamatović	1.15
Nenad Čanak	1.12
Aleksandar Popović	1.04
Miroslav Parović	0.32

Source: The Republic Electoral Commission

<sup>20)</sup> Blic, Radulović: Izbori – referendum protiv Vučića, izađite, glasajte protiv partokratija (Radulović: Elections – Referendum against Vučić, Vote against Partocracies), Internet, http://www.blic.rs/komentar/politika/radulovic-izbori-referendum-protiv-vucica-izadite-glasajte-protiv-partokratija/k2rczmq, 04/06/2017.

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## 5. POLITICAL CONSEQUENCES

The results of the presidential election gave rise to massive protests of citizens in several cities in Serbia. Citizens took to the streets first and foremost because they were dissatisfied with the conditions in which the election took place, and they made clear demands to decision makers for the replacement of those responsible in the regulatory body for electronic media, the dismissal of individuals in the public service broadcaster of the Republic of Serbia (RTS), the replacement of the President of the National Assembly because of the suspension of parliament, and the resignation of all members of the Republic Electoral Commission. Two key demands of the protests are media freedom and equal representation of candidates and parties in the media during political campaigns.<sup>22)</sup>

The presidential election raised doubts in the fair conditions of the electoral process and initiated citizen protests, but it will also certainly lead to a new movement of the regime in Serbia toward a presidential system. Without doubt, Vučić will still remain the strongest political figure in the country. One should not forget that in Serbia power rests in the chief of the most powerful party, rather than in the institutions per se. The new President of Serbia, Aleksandar Vučić, will not make the same mistake as did his predecessor, Tomislav Nikolić, and he will remain the president of the biggest political party – the Serbian Progressive Party. Political parties in Serbia are characterised by a low level of intraparty democracy<sup>23)</sup> as well as salient leadership in the party – which speaks to the presidentialisation of political parties.<sup>24)</sup> Through the influence that Vučić will thus have in his party, he will be able to

<sup>22)</sup> Vanja Djuric, Filip Rudic, Thousands Gather in New Anti-Govt Rally in Belgrade, Internet, http://www.balkaninsight.com/en/article/thousands-gather-in-anti-govt-belgrade-rally-04-08-2017, 04/06/2017. Maja Zivanovic, Day 8: Fresh Anti-Vucic Protests Underway Across Serbia, Internet, http://www.balkaninsight.com/en/article/new-anti-govt-protests-starting-in-serbia-04-10-2017#sthash.UyHGH4XF.dpuf, 04/06/2017. The New York Times, A Serbian Election Erodes Democracy, Internet, https://mobile.nytimes.com/2017/04/09/opinion/a-serbian-election-erodes-democracy.html?referer=, 04/06/2017.

<sup>23)</sup> Zoran Stojiljković, Dušan Spasojević, Jelena Lončar (eds.), How to Make Intra-Party Democracy Possible? Institutional Factors and Internal Dynamics of Intra-Party Relations. Faculty of Political Sciences University of. Belgrade and Center for Monitoring and Research – CeMi, Belgrade, 2015. Zoran Stojiljković, Dušan Spasojević (eds.), Voters, Parties, Elections – How to Democratize Political Parties in Montenegro and Serbia?, Faculty of Political Sciences, University of Belgrade and Center for Monitoring and Research – CeMi, Belgrade, Podgorica, 2016.

<sup>24)</sup> Zoran Stojiljković, Dušan Spasojević, Jelena Lončar, Boban Stojanović, Presidentialisation of Serbian Political Parties – Causes, Consequences and Possible Solutions. Faculty of Political Sciences University of Belgrade, Belgrade, 2017.

control members of parliament, appointed new ministers and the new Prime Minister. He will also be able to create and implement policies and maintain his position as the politically most powerful person in Serbia, even though he will not formally have institutional power as during his time as the Prime Minister.<sup>25)</sup> The political system in Serbia will move from the prime-ministerial system toward the presidential system, just as it did when Boris Tadić was President during his second term in 2008–2012.<sup>26)</sup>

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<sup>25)</sup> Boban Stojanović, Fernando Casal Bértoa, Serbia's prime minister just became president. What's wrong with this picture?, Internet, https://www.washingtonpost.com/news/monkey-cage/wp/2017/04/04/serbias-prime-minister-just-became-president-whats-wrong-with-this-picture/?utm term=.506784a4ab4b, 04/06/2017.

<sup>26)</sup> Bogoljub Milosavljević, "Načelo podele vlasti u Ustavu i ustavnoj praksi Republike Srbije", Pravni zapisi 3(1), (The Principle of the Separation of Powers in the Constitution and Constitutional Practice of the Republic of Serbia) Legal Notes 3(1)), 2012, pp. 17.

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# Бобан Стојановић, Сунчица Драгаш

# ИЗБОРНА АНАЛИЗА: ПРЕДСЕДНИЧКИ ИЗБОРИ 2017. ГОДИНЕ У СРБИЈИ

#### Резиме

Председнички избори у Србији су одржани 02. априла. Политички систем Србије јесте полупредседнички систем у ком председник Републике има минималне надлежности и малу уставну политичку моћ. Међутим оно што дефинише стварну моћ и утицај председника Републике јесте питање да ли је председник истовремено и лидер странке која има већину у парламенту. Србија је прошла различите форме полупредседничког система у претходним изборним периодима (померање ка президенцијализму, ка парламентаризму, кохабитација). Поред тада актуелног премијера Александра Вучића, десет кандидата је још учествовало на председничким изборима. Александар Вучић је победио у првом кругу

избора са освојених 55,08% гласова. Наредни кандидат је освојио 16,36% гласова. Као последица изборних резултата десиће се ново померање политичког система Србије ка президенцијализму.

Кључне речи: избори, председнички избори, Србија, кампања