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Election boycott in a hybrid regime: The case of 2020 parliamentary elections in Serbia

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Abstract

The 2020 elections in Serbia were held on 21st of June, as the first elections in Europe since the outbreak of coronavirus pandemic. The pre-electoral period was marked by the announcement of boycott from opposition, followed by a number of attempts of ruling party to mitigate the potential negative effects. The decision of opposition to restrain from participation came as a response to the long-term accusations of heavily biased electoral and media conditions, which culminated in EU-mediated (but largely unsuccessful) roundtable talks in 2019. On a larger scale, the administration headed by the President Aleksandar Vučić is becoming increasingly authoritarian, with several indices now classifying Serbia as a hybrid regime. As expected, the elections brought a convincing victory to Vučić's Serbian Progressive Party, which won 188 out of 250 seats. Despite the overwhelming triumph, government was formed more than four months later. This paper is contributing to the literature on actors' strategies in hybrid regimes. Although only short-term effects of the boycott could be assessed, the 2020 elections in Serbia demonstrate that legitimacy of the regime cannot be endangered if the opposition is not supported by international actors, and moreover, that the election results have only strengthened the regime.

Keywords: Serbia, parliamentary elections, hybrid regime, boycott, Aleksandar Vučić

1. Background

Elections for 250 members of the Serbian National Assembly were originally scheduled for 26th of April, but then postponed mere 11 days into electoral activities, due to the introduction of a country-wide state of emergency. Together with parliamentary elections, citizens in more than 150 municipalities were also to choose their local governments, along with voters in the Autonomous Province of Vojvodina, who were to vote on additional ballot – for provincial parliament. After the end of emergency, the electoral process continued, with the new date set for 21st of June.

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Incumbent majority was led by the Serbian Progressive Party (Srpska napredna stranka, SNS), forming a supermajority with Socialist Party of Serbia (SPS), and enjoying support of a number of smaller, regional or ethnic minority parties with whom SNS bartered for power in various local governments.

Along with the third wave of democratization (Huntington, 1991), a number of states embraced new forms of authoritarianism hidden behind formally democratic procedures. In this “political gray zone” (Carothers, 2002: 9) authoritarian leaders formally accept internal and more often, external demands for democratization and allow the existence of opposition parties and organization of elections, but are prone to a wide array of manipulations of the electoral process. The practice caused a terminological confusion within the discipline, denominating countries which fall between classical autocracies and established democracies as semi-democracies (Case, 1993), delegative democracies (O’Donnell, 1994), pseudo-democracies (Diamond, Linz and Lipset, 1995), hybrid regimes (Karl, 1995), competitive authoritarianism (Levitsky and Way, 2002), semi-authoritarianism (Ottaway, 2003), illiberal democracies (Zakaria, 2003) or electoral authoritarianism (Schedler, 2006),

During the Milošević regime, Serbia was undoubtedly in the category of hybrid regimes (Vladislavljević, 2016; Atlagić and Vučićević, 2019). Only after the regime change in 2000, country began the process of economic and political liberalization. In the following years, fundamental political conflicts of the society, highly contentious issues such as Kosovo’s unilateral proclamation of independence, extradition of persons indicted for war crimes, or the EU accession, were mostly resolved peacefully, within democratic institutions. Moreover, government changed hands several times within different parties inside the so-called democratic bloc, without major objections to the legitimacy of elections or the quality of democracy (Listhaug, Ramet and Dulić 2011; Vladislavljević 2019). Although a low-quality democracy during this period, Serbia began backsliding to hybrid regime only after the rise of Serbian Progressive Party to power.

Ever since the first electoral triumph in 2012, SNS was gradually overtaking both horizontal and vertical levels of government in Serbia. Their influence over regulatory bodies, media, and overall political, social and even economic life led the Freedom House to reclassify country as a hybrid regime (Freedom House, 2020) and V-Dem Institute to describe Serbia as “electoral autocracy” (V-Dem, 2019). In recent years, several studies also noted a significant rise of authoritarian practices, describing the regime as hybrid or competitive authoritarian (Bieber, 2018; Keil, 2018; Pavlović, 2019). In these types of countries, elections are held regularly and are somewhat competitive, but often not free nor fair – mostly because of unequal distribution of finance and media, as well as abuse of state institutions. Uneven playing field is consolidated by three aspects of advantage: access to law, resources, and media. Judiciary and independent bodies are biased in favor of a ruling party, and incumbents directly use state budgets, while their critics lack access not just to public, but also to most of private media (Levitsky and Way, 2010: 8-12).

This is certainly case in Serbia, displayed in the presidential elections of 2017, in which the then-Prime Minister Vučić achieved a convincing first round victory. According to a number of NGOs and foreign observers, elections were accompanied by a misuse of public resources, widespread pressure on voters – especially public sector employees and welfare beneficiaries, and also unbalanced media coverage (CRTA, 2017; OSCE/ODIHR, 2017). For example, on five national broadcasters during the campaign, candidate Vučić had threefold more time than all the other candidates combined (Istinomer, 2017).

After 2017, executive power shifted to the President. Although the Constitution grants the office itself very weak competences, strong presidents tend to play important role in Serbian political system, due to two circumstances. Firstly, the office is holding an unparalleled legitimacy given directly by the voters; and more importantly, presidents tend to hold their head positions in ruling parties even as they assume the office. This is giving them direct control over government through their commanding position in the party. Slide from prime ministerial to presidential office in 2017 didn't create much change in Vučić's real powers, but it did solidify his role as the sole decision-making figure of Serbian politics.

The 2012 elections saw the fall from power of parties of democratic coalition which toppled Milošević in 2000 and in various iterations formed governments over the subsequent 12 years. Vučić has ever since used his omnipresent authority and media apparatus to paint a grim image of opposition as incompetent and corrupted elite who unsuccessfully led Serbia through transition, and whose legitimacy is heavily damaged by mismanagement of economy during the global crises and Kosovo issue after the proclamation of independence in 2008. In a manner well-known to populists, this created a rift between President, serving as protector of the people, and former elites, often publicly mired as “thieves” or “traitors” by Vučić himself.

After a physical attack on one of its leaders in late 2018, fragmented opposition joined forces and started protests in dozens of Serbian cities, presenting a most serious challenge to SNS rule so far. Vučić responded by launching his own “Future of Serbia” program, a classic functionary campaign in which he personally toured Serbia promoting government results in front of mass gatherings of party supporters. Meanwhile, responding to growing media pressure, opposition parties decided to boycott the parliament sessions, leading eventually to proclamation of boycott of the coming elections. However, the US and the EU, important players in Serbia, explicitly stated they do not support the boycott. EU even organized roundtable talks, with MEPs Tanja Fajon and Vladimir Bilčík serving as mediators. Opposition soon withdrew from these talks, citing the lack of good will from ruling parties to make any substantial progress in acquiring minimal democratic standards, strengthening their decision to boycott the voting.

The strategies of internal actors for the 2020 elections fully corresponded to the theoretical models already existing in the framework of hybrid regimes. Namely, the struggle between the government and the opposition is being held on two levels: while in the old democracies, the electoral strategy revolves only around gaining the trust of voters, competitive authoritarianism

requires additional arena where rules of the game itself are called into question. Aspiration of the authoritarian rulers is always to transfer competition completely to the electoral arena, where the rules are set to ensure their victory. In this nested game, different strategies are available to the opposition, with one of the most important ones falling within the scope of dilemma between boycott or participation in biased elections (Schedler, 2002: 112-118).

Serbia already had major boycotts of elections during the Milošević era: in 1992 and 1997. Key differences between these events and the 2020 boycott are found in the behavior of international actors and the consequent response of ruling party. Vučić's regime is more resilient to internal pressures due to strong support from the West (Richter and Wunsch, 2019), which in turn allows him to, unlike Milošević, be less openly repressive in domestic affairs. For this type of external legitimacy given to hybrid regimes, Bieber (2020) coined the term "stabilitocracy". Moreover, Western backing of the regime, along with lack of explicit support to the opposition approach, opened the space for SNS to employ a number of manipulative strategies to answer the boycott – most importantly, with changes to the electoral system.

2. Electoral system

Serbia belongs to a small group of countries using proportional system in a single nationwide constituency. Moreover, closed lists leave voters deprived of any say on individual representatives to be elected, giving the party leaderships overwhelming influence over MPs, thus solidifying the centralized power structure. This further results in weak parliaments and unaccountable governments. The electoral threshold stands at 5 percent, but it is not applied to parties representing ethnic minorities.

EU-sponsored talks on electoral conditions did not convey the question of electoral reform, although the issue is often raised by academia or NGOs, citing lack of personalization and territorial misbalance as main negative effects of the system in use. During the talks, opposition concentrated on the issues of campaign, media access, voter pressure, and voter frauds. However, SNS proposed the lowering of electoral threshold as one of the concessions, narrowly pushing the 3 percent threshold amendment through parliament only two months before the original election date. This move should primarily be seen as a tactical reply to the boycott. Firstly, the lowering of threshold could incentivize some of the opposition parties to withdraw from the boycott camp. Secondly, it could create a more diverse parliament: at one point, there was a serious risk that only SNS and SPS, two parties already in ruling coalition, gain virtually all seats, which would be harmful to Vučić's carefully crafted international image. Finally, this issue was widely presented as a generous concession to the opposition and as an expansion of democracy.

Further affirmative action for ethnic minorities was adopted in the same package, and apparently for the same reason: to boost a number of minority representatives and engineer a more diverse parliament, even without the major opposition parties. New measure assumes the multiplication

of quotients of minority parties by a 1.35 coefficient, effectively boosting their individual results by 35 percent.

Lowering of electoral threshold is a move expected in non- or semi-democratic regimes. Selection of leaders in these types of countries is already decided before the elections, and regime chooses the strategy that ensures prolongation of rule while involving opposition in the electoral process. This way an additional goal is achieved, because the opposition involvement creates an illusion of democratic legitimacy among the citizens and further strengthens the regime's international reputation. While elections in established democratic societies serve as a mechanism for power allocation and exercise of accountability, in authoritarian and hybrid regimes they are primarily employed as a mean of internal and external legitimization.

3. Main contenders

Serbian Progressive Party was the main favorite of the election according to all available surveys, and regardless of the boycott. This big-tent (nominally center right) party is actually a leader-based movement, with its image and popularity inextricably connected with its president. SNS draws its support primarily from elderly, pensioners, and lower-income population (WFD, 2020).

Their main government partner for the last 8 years has been the Socialist Party of Serbia. SPS' position in the coalition presents a dilemma for the party: SNS is constantly taking over large parts of its voters – mainly elderly, while SPS is silent. Namely, although turn to opposition could present a viable strategy, SPS does not have an important experience outside of power, being in government for 27 of the last 30 years (and another 45 years before that, having in mind that the party is a direct successor of the Serbian branch of Yugoslav Communist Party). From that perspective, the choice to remain an ally of SNS is an easy one for their party heads, but in the long run it guarantees a decrease in support and influence.

Most of other contenders were ideologically positioned on the right side of spectrum. Serbian Patriotic Alliance (SPAS) is a newly emerged party led by a former water polo star player and a popular mayor of one of Belgrade city municipalities, Aleksandar Šapić, who was trying to capitalize on his personal popularity as a no-conflict politician. Further right, there was an ultra-nationalist Serbian Radical Party, which lost much of its popularity over the last couple of years due to their lack of criticism for the government. Other right-wingers included The Souverainists – once a small liberal party which made its way into parliament in the last election, but meanwhile took a populist turn, Movement for Renovation of the Kingdom, and a number of minor movements and organizations.

Lacking most of liberal, social-democrat and centrist options because of the boycott, other side of the spectrum was significantly vacant. The Movement of Free Citizens, led by a popular actor, broke the opposition ranks and proclaimed the end of boycott shortly after the electoral threshold was lowered. Several parties also did the same for the local elections, proving the regime

strategy somewhat effective, not just in securing the relative legitimacy of the electoral process, but also in sowing discord among the opposition ranks. The student movement “1 in 5 million”, which branded itself as one of the organizers of 2018-2019 protests, also participated on the ballot, attempting to mobilize the opposition voters in the absence of competition.

Finally, a list called United Democratic Serbia (UDS) tried to brand itself as an umbrella option for all democratic forces. It was composed of more than 10 smaller pro-European, regional and minority parties, organizations, even breakaway factions, including individual politicians who opposed the boycott. This coalition was widely seen as supported or even created by the SNS, as another manipulative attempt to simulate pluralism – because of the soft stance towards the ruling party and also disproportion of UDS’ modest size and capacities with an expensive promotional campaign they launched (Sejdinović, 2020).

Other lists on the ballot included ethnic parties of largest minorities: Hungarians, Bosniaks, and Albanians.

4. Campaign

State of emergency in March, April, and May 2020 enabled the ruling party to occupy all channels of communication: according to one analysis, 91 percent of reports favoring state officials appeared in extended prime time during this period. On the other hand, proponents of boycott had only 4 percent of airing time and were mostly treated in negative tone (Nedeljkov, 2020).

When the campaign was officially restarted, main topics were handling of pandemic and economics. Prosperity remains the constant value in ruling party’s communication over the last couple of years, with global economic trends falling into SNS’ hands. In 2012, they inherited grim economic situation, following the virtual collapse of Serbian economy during the global financial crisis: unemployment rate stood at 24 percent. Last year, it fell below 9 percent, while GDP rose 12 billion euros over the same period. Wages also grew modestly, with Prime Minister, and later President Vučić announcing and implementing small rises in levels of pensions and public wages on yearly bases.

It was an impossible task for the opposition to compete about economy in a country where large portion of GDP is still generated by the state-owned enterprises and where most of population sees the state as the main provider of personal prosperity. From that viewpoint, Vučić’s imposition of economy as thematic backbone of the campaign is a rational choice. He also left almost no room for discussion of two key political problems of Serbian society, which occupied much of the public debate over the last decades: Kosovo and EU. Fearing the effects of boycott, the main messages of SNS slowly switched from economy and health to voter mobilization over the last two weeks of campaign. Other parties generally focused their campaigns around relative popularity of their leaders and scope of single issues targeted at limited audiences. Boycott

campaign, on the other hand, was weakly organized and received very little media attention, with pandemics and economy overshadowing the boycott as the main issues in the public sphere.

There is additional regulation adding to the sense of uneven playing field in Serbia. Namely, every list wishing to participate on the ballot is obliged to present 10 thousand valid signatures. However, signature collection runs parallel with the campaign, giving large advantage to ruling parties. For example, SNS submitted their 50 thousand signatures (5 times more than necessary) only 24 hours after the scheduling of elections, while smaller parties collected them all the way to the deadline – which left them with less than two weeks for campaigning.

Due to the pandemics, there were no large rallies. Ruling party introduced novelties in terms of promotion, organizing online gatherings, having hundreds of screens with audience surrounding the speaker – President Vučić, and broadcasting these events on live television.

5. Results

As expected, SNS won decisively, gaining more than 75 percent of seats. Turnout was considerably smaller than 2016, with half a million voters less: only 3.22 million in total. Nevertheless, it was still much larger than expected. In the election night, it seemed that turnout has surpassed psychological border of 50 percent (in effect it was just below, at 48.93 percent), so the boycott was generally considered unsuccessful. Voters were incentivized by the huge mobilization campaign of the SNS (which sometimes boasts having 10 percent of Serbian population in its membership), along with strategic communication loss of the opposition, which unrealistically assessed mood of the citizens, possible foreign support, as well as their own capacities for successful abstention campaign. However, boycott succeeded in several large cities, with total turnout in Belgrade and Novi Sad falling below 40 percent, a historical low.

Besides SNS, only two regular lists managed to overcome the 3 percent threshold: Socialists and SPAS. Minority parties were overrepresented due to the positive discrimination measures adopted shortly before elections: they gained 19 seats in total, a record number for minorities.

Number of effective lists elected to the parliament halved from 3.23 to 1.71 (Laakso and Taagepera, 1979), lowest number since Milošević overwhelmingly won the 1990 elections through heavily disproportionate majoritarian two-round electoral system. Apart from the National Assembly, SNS also won provincial election in Vojvodina with more than 61 percent of votes, as well as most of 150 local municipalities – only in 6 of them other parties were able to form local governments.

Table 1.

Results of the Serbian parliamentary elections, 2020.

List	Votes %	Vote change since 2016	Seats	Seat change since 2016
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Serbian Progressive Party coalition	60.65	+12.4	188	+57
Socialist Party of Serbia – United Serbia	10.38	-0.57	32	+3
Serbian Patriotic Alliance	3.83	new	11	+11
For the Kingdom of Serbia	2.67	new	0	0
The Souverainists	2.30	-3.72	0	-16
Democratic Party of Serbia	2.24	-2.8	0	-13
Alliance of Vojvodina Hungarians (Hungarian minority)	2.23	(coalition) +0.73	9	+3
Serbian Radical Party	2.05	-6.05	0	-22
Movement of Free Citizens	1.58	new	0	0
Oathkeepers	1.43	+0.7	0	0
Healthy Serbia – Rich Serbia	1.04	new	0	
Straight Ahead (Bosniak minority)	1.00	+0.14	4	+2
United Democratic Serbia	0.95	new	0	-11
Albanian Democratic Alternative (Albanian minority)	0.82	(coalition) +0.39	3	+2
Party of Democratic Action (Bosniak minority)	0.77	-0.03	3	+1
Others	2.33		0	
Invalid	3.76			

Source: Republička izborna komisija, 2020.

6. Government formation

Government formation was inexplicably stalled for months, especially considering that SNS has three-quarter majority. Negotiations only started in September, more than two months after voting, a considerable delay in the situation of pandemic and lingering economic crisis. The delay most likely served the purpose of further consolidation of Vučić's image as the only constant of power in Serbian political system.

The only real unknown in the negotiations was the future of Socialists in government. It presented SNS with a choice: having a parliament without any real opposition is damaging to international image of a regime already accused for authoritarianism; while forcing only other party with some infrastructure and a popular leader into opposition could create a rival in the future. Meanwhile, SPS was not keen being an opposition either, so they agreed to diminished role in the government.

Vučić publicly announced members of new government in the last week of October, after an SNS presidency meeting. It was to be a national unity cabinet, with majority of parties in the parliament also entering the government. Socialists were granted only two seats (Minister of Education and one minister without portfolio), a considerable demotion from the last term. This way SNS kept them in government but neutralized their influence. SPAS got one seat in the

cabinet, a newly formed Ministry of Family Care. Government was also supported by Hungarian and one of the Bosniak parties.

Cabinet of 23 ministers demonstrates Vučić's perfect understanding of virtue signaling towards the West: with 11 female ministers, a fact lauded even by the global media (Bloomberg, 2020); with LGBT person of ethnic minority origin, Ana Brnabić, continuing her role as weak Prime Minister; and even with inclusion of some of the willing figures from fragmented opposition into the new cabinet. This mimicry is outweighed by the fact that parliamentary opposition was reduced to only 7 out of 250 MPs: 3 representatives of Albanian minority, 3 representatives of Bosniak minority, and one independent MP elected on SPAS list.

7. Conclusions

In the same press conference announcing the new cabinet, Vučić simultaneously proclaimed that government will only last 17 months, with early elections to be scheduled for early April 2022. He cited health and economic crises as justifications. However, spring of 2022 is also a regular date for presidential election, in which Vučić has the right to run for another term; as well as Belgrade city election.

SNS probably has two strategic goals in sight with announcement of early elections. One is an attempt to break a monolithic nature of parliament with possibly some other opposition lists overcoming the threshold, but not endangering the majority. More importantly, with Belgrade election in sight, and having in mind that boycott has been successful in the capital, SNS is probably trying to overstretch the opposition resources and obstruct their Belgrade bid for 2022. Moreover, injecting the parliamentary election into equation will pose a new dilemma for the opposition: should they appear on the ballot if they boycotted the election in 2020 for irregularities? Fragmented opposition will certainly engage in mutual fights over the issue, adding another point for Vučić.

Meanwhile, his biggest challenges are external, rather than domestic. The EU and the USA expect regulation of relations with Kosovo in form of a legally binding agreement, which Vučić successfully avoids for years, aware of the major opposition to this solution among his voters. Even the concessions he signed in the White House in September, after short negotiation mediated by President Trump, were presented to the domestic public as diplomatic success: a skillful evasion of recognition of Kosovo. It is debatable how longer could Vučić avoid it, especially with the new administration elected in Washington.

Although the success of boycott in hybrid regimes may be influenced by various factors, one of the most important is international pressure on the ruling party to start deriving its legitimacy from free and fair elections. Levitsky and Way (2006) argue that countries in the Western sphere of influence endure more pressure to change the rules of the game and eventually democratize. Problem with boycott strategy in Serbia in 2020 was the absence of Western pressure and further miscalculation of opposition, who most likely expected similar type of engagement from foreign

actors as seen during the Milošević era, when global push for the expansion of democracy was in full swing, and moreover, when Serbia was seen as a rogue state. Very mild foreign involvement, embodied in the form of roundtable talks mediation conducted by two members of European Parliament, served more as an attempt to return the opposition in the electoral process and therefore restore full legitimacy of the regime, than as a mechanism for substantial change of rules. Finally, the absence of external pressure led the stabilitocratic regime not just to preserve the existing patterns of uneven access to law, resources, and media, but also to further manipulate the electoral rules, without endangering its legitimacy. In such situation, boycott could not jeopardize the survival of the incumbent regime.

This study is adding to the existing body of literature which claims that external support is essential for the success of opposition strategies. Although the effects of boycott, most notably monolithic parliament and low turnout in Belgrade, caused some discomfort to the ruling party, demonstrated in the announcement of early elections for spring 2022, its external and internal legitimacy stands firm. Serbian regime is considered a welcome partner by the main actors in international arena and likewise, it is generally accepted by the Serbian public: there are no mass protests or cases of civil unrest. Therefore, the regime succeeded in its prime aim, to retain the power while keeping the competition completely in electoral arena.

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