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MONTENEGRO - THE ROAD FROM STABILOCRACY TO FRAGILOCRACY

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The snap parliamentary elections in Montenegro held on June 11 indicated the rise of the Europe Now Movement (Pokret Evropa sad, PES), which won over 77,000 votes, i.e., 24 mandates, and led to the newly elected president, entrusting the mandate to form the new government to the leader of that movement and his party colleague, Milojko Spajić¹. The outcome of the negotiation process, as well as the dynamics determined by Spajić himself and the movement to which he belongs, is still uncertain. Political actors' support for the mandate holder has declined over time, and the concept of a broader coalition was switched to the idea of a minimum majority government. After intra-party tensions within the PES and Democrats' reservations regarding parliamentary support for such a government, the space for dialogue with the coalition "For the future of Montenegro" (Za budućnost Crne Gore, ZBCG) and the Civil Movement URA was created again.

The contemporary political history of Montenegro records several transformative phases determined by significant historical events: a) transition (1991-1997), which was influenced by the Yugoslav wars and the fact that Montenegro formed a new (dual) federation with Serbia and the split between Đukanović and pro-Milošević leader Bulatović in 1997; b) the era of state building (1997-2006), when the concept of the Montenegrin state and identity became a dominant project of the ruling political elite; c) post-referendum era (after the Referendum on Independence in 2006) and d) post-DPS era after the first democratic change of government in Montenegro in which Democratic party of Socialists (Demokratska partija socijalista, DPS) was overthrown after it ruled county for almost 30 years. During those three decades, democratization, democratic consolidation, and Europeanization ran parallel in Montenegro, often in contradiction and struggle.

¹ The "Zajedno" (Together) coalition, led by the Democratic Party of Socialists (DPS), received 70,228 votes and 21 mandates and remained the single strongest party in the Montenegrin parliament, while the "For the Future of Montenegro (ZBCG), the two largest constituents of the former Democratic Front, received 44,565 votes and 13 mandates. The coalition of Democratic Montenegro and the Civic Movement (Građanski pokret) URA "Hrabro se broji" (Bravery counts) won 37,730 votes and 11 mandates, Bosniak Party (Bošnjačka stranka, BS) 21,423 votes and six mandates, while the coalition of Socialist People's Party (Socijalistička narodna partija, SNP) and Demos got 9,472 votes and two parliamentary seats. The Albanian Forum won two mandates with 5,767 votes, and the Albanian Alliance with 4,512 votes and the Croatian Civic Initiative (Hrvatska građanska inicijativa, HGI) with 2,226 votes. The following parties remained without parliamentary status: the Social Democratic Party (Socijaldemokratska partija, SDP), which was voted by 9,010 voters (2.98 percent), the People's Movement "Pravda za sve" (Justice for all) with 8,380 votes (2.77 percent), „Preokret“ (Change) with 4,833 votes (1.60 percent), the People's Coalition with 3,630 votes (1.20 percent), former Democratic Front party The Movement for Change (Pokret za promjene, PzP) with 1,993 votes (0.66 percent) and "Mi možemo" (We can) list with 1,464 votes (0.48 percent).

POST-AUGUST POLITICAL HORIZON

The parliamentary elections on August 30, 2020, marked the overthrow of the Democratic Party of Socialists, which, independently or in coalitions, exercised power for almost three decades. The election date came after several months of *lithia* – processions, gatherings of believers and citizens organized by the Serbian Orthodox Church (Srpska pravoslavna crkva, SPC) as a continuous and mass protest against the Law on Freedom of Religion, which had been a point of constant legal, ideological and identity dispute for years.

Key reasons for the change of government include political corruption, state capture, economic inequality, and poor progress in European integration¹. An expert government of Zdravko Krivokapić was formed, named by its members and media. It was overthrown in February 2022. It was replaced by the minority Government of Dritan Abazović, which was voted no-confidence in August 2022 after signing the Basic Agreement with the SPC and has exercised power in a technical mandate since then. The presidential elections marked the definitive end of the rule of Milo Đukanović, and Jakov Milatović was elected as the President of Montenegro.

In the post-2020 period, the political commitment of the authorities to the strategic goal of EU integration and their ambition to advance in the accession negotiations based on the continuous progress of reforms are consistently stated as a vital priority of the country. Still, little has been done in terms of essential reforms and strengthening of the negotiation dynamics. This period was marked by continued political tensions, polarization, the absence of constructive engagement between political parties, and the failure to build consensus on critical issues of national interest, leading to two governments being voted no-confidence. The proper functioning of Montenegrin institutions was affected by political instability, instability of the government and tensions within the ruling majority in the government of Zdravko Krivokapić, tensions between the government of Dritan Abazović and the DPS, which was giving support to the minority government, but then initiated the motion and voted no confidence to the 43rd Government of Montenegro.

² In addition, the active support of the Serbian Orthodox Church to the opposition and the mobilization of citizens in religious protests - processions, all over Montenegro - had a significant impact. Even though many analysts warn about the danger of clericalization of society and the state, there is no evidence of the direct influence of religious communities on the political and legal order of Montenegro. The Orthodox Church in Montenegro has primarily acted as a factor in the re-traditionalization of society and stepped into public political arena to defend the rights it claims. Besides, one cannot determine any political-organizational scheme of influence of Russia or Serbia through the Serbian Orthodox Church in Montenegro despite the ideological classification or narrative of parts of the church that give rise to such conclusions.

NEW POLITICAL LEADERSHIP

The charismatic rule of Đukanović, which lasted for more than three decades, ended not only with a political-ideological change of power but also with a generation change in the political life of Montenegro. There was no former party leader on the last parliamentary election list of the DPS. Besides that, the PES and some new political parties had new and younger political figures. The parties of the former DF, the Social Democrats, partially followed a similar example in determining the people on the electoral list. At the same time, the leadership of the Democratic Front and the Democrats remained unchanged.

New leaders, mainly those who came on the wave of Krivokapić's government, are ministers Milojko Spajić and Jakov Milatović and already-known young politician Dritan Abazović. Dritan Abazović was the vice president of Krivokapić's government and had a pivotal role in that government, and he will be the central figure in ending it as his party (URA) gave it a vote of no confidence. Spajić and Milatović owe the most significant credit for their vast popularity to the program they introduced, "Evropa sad!" (Europe Now!) which affected all employees' salaries, especially those with the lowest incomes. Milatović was seen as an educated, moderate, conservative politician who, within the PES, was known as a leader who could penetrate the electorate of pro-Serbian parties. Milojko Spajić shaped his leadership capital giving the impression of an expert, charismatic young man who achieved success abroad with his entrepreneurial skills. Dritan Abazović's leadership potential was particularly evident in the 43rd Montenegrin government that he led and which, despite a short mandate, continued to govern in a technical mandate for more than a year. The "Do Kwon Affair" - a letter from a South Korean cryptocurrency trader that Abazović linked to Milojko Spajić during the parliamentary election campaign, damaged their relationship and made URA unacceptable to PES for negotiations on the future government.

All three leaders have a Euro-Atlantic ideological profile. However, the opposition often contests such a profile, particularly for President Milatović, who appeals to the wider electorate with a moderate foreign policy approach. The personal relationship between Milatović, Spajić, and Bečić largely determines the dynamics of the formation of the new government, and their political communication will depend on the future of PES as a rising political force, the overall political dynamics in the classic multi-party system that happened to Montenegro in the post-DPS era, but also the reforms dynamics and the process of European integration. If the ZBCG and URA take part in the new government, that leadership-personal relationship and its internal dynamics will be even more complex.

POLITICAL SYSTEM AND INSTITUTIONAL CRISES

According to the constitution, Montenegro is a parliamentary system, with a directly elected president and government as the bearer of executive power. After the fall of the DPS government with its leader Đukanović as president, cohabitation was at work for more than two years. The motion of no confidence that formally ended the government Dritan Abazović, which continued its technical mandate, led to the institutional blockade of the government system at the end of 2022. At the same time, the institutional arrangements that require a qualified majority – the election of the Constitutional Court could not be achieved and have made the constitutional-legal system and democratic procedures vulnerable.

The parliamentary majority of the minority government declared Zeta a municipality, which until then was part of Podgorica, the capital of Montenegro. This move, which reduced the number of voters in Podgorica, according to the opinion of the expert public, was an unconstitutional change in the electoral rights of the citizens of this city to achieve a better result in the local elections through electoral engineering.

After Đukanović refused to entrust the mandate to Miodrag Lekić, the Parliament adopted a controversial law that limits the powers of the president, allowing the majority of MPs to nominate the prime minister if the president refuses. Despite the opinion of the profession, the Venice Commission, the civil sector, the EU, and the USA on the unconstitutionality of such a law, the Constitutional Court, as the only body entitled to decide on it, could not resolve this issue without a quorum.

In March 2022, the Prosecutorial Council elected a new Chief Special State Prosecutor (GSDT), Vladimir Novović, who prioritized investigations into high-level corruption and financial investigations and improved public trust in that institution. The investigative activities and initiated trials of the new GSDT include representatives of the judicial and executive authorities, prosecution organizations, and police officers.

Since the Parliament of Montenegro is not in session pending the election of a new government, key issues in the area of the rule of law, such as the appointment of the Supreme State Prosecutor, the completion of the Constitutional Court, and the Judicial Council, remain unresolved.

HUMAN RIGHTS

The legislative and institutional framework for protecting human rights is generally established and in accordance with relevant international and European standards. However, additional efforts are still needed for them to be fully implemented. Increased political and social polarization and division significantly affected the most vulnerable groups (including Roma and Egyptians, people with disabilities, LGBTIQ+ people), who were increasingly exposed to discrimination, hate speech, and hate crimes. Increasing numbers of femicides with insufficient monitoring by the authorities, overt misogyny, gender-based violence, and violence against children remain issues of grave concern. Montenegro needs to improve its legal and institutional framework to increase protection against domestic violence, discrimination, hate crimes, and hate speech. Montenegro must ensure access to justice and the exercise of rights in administrative and judicial proceedings, especially for vulnerable groups.

Significant problems in the field of human rights in Montenegro by 2023 include verifiable and credible reports of alleged torture by police officers; serious issues with the independence of the judiciary, serious restrictions on freedom of expression, including threats of violence against journalists; serious corruption in the executive branch; lack of investigation and accountability for gender-based violence, including domestic violence; criminal acts involving violence or threats of violence directed at persons with disabilities and members of national, racial or ethnic minority groups; and crimes involving violence or threats of violence directed at LGBTIQ+ persons. Impunity remains a problem, and the government has done little to identify, investigate, prosecute, or promptly punish officials who have committed human rights abuses.

ETHNIC POLARIZATION

In the last three years, extreme political polarization has characterized Montenegrin political and social life. Adopting the Law on Freedom of Religion, then the *litias*, the enthronement of the Metropolitan of Montenegro, and the Littoral Joanikije II posed a security problem for the state. The issue of the Orthodox Church in Montenegro roughly follows the line of ethnic-national division. The growth of ethno-nationalism threatened to imperil the constitutional concept of a multicultural and civil state. On the other hand, the rise of political conservatism and the church's influence may challenge a secular society.

The upcoming census, planned for November 2023 to be carried out according to the adopted *Law on the Census of Population, Households, and Apartments*, could further fuel ethnic tension since citizens' national and religious declaration will be the most important. In public discourse, the non-governmental sector points out that the census is not perceived as a statistical issue but as a political matter. Although research indicates that the census will not significantly change the ethnic structure of the Montenegrin population, changes in the way Montenegrin citizens declare themselves would once again open up the Montenegrin identity issue and further deepen ethnic and political polarization. The opposition also points to international recommendations not to organize the census in times of political instability.

PUBLIC ADMINISTRATION REFORM

The personnel problems of the cumbersome public administration, further complicated by party recruitment, and the reorganization of the public administration by amending the Law on Civil Servants and State Employees adopted in 2021 muddle the so-needed reforms. The loss of knowledge about the issues related to the EU accession process and the constant change of the negotiating structure, both personal and organizational, became the comparative disadvantage of Montenegro as a leader in European integration among the Western Balkans countries. The lack of institutional memory is one of the biggest obstacles to effective public administration reform. Organized crime and corruption, which have deeply penetrated the Montenegrin state and society, represent the biggest obstacle to reforms, the rule of law, and the most significant security challenge.

EUROPE NOW!

“Europe Now!” was a set of popular socio-economic measures proposed by the government at the end of 2021 and adopted in 2022 by the Parliament. It included the increase of the minimum wage from 250 euros to 450 euros, reduction of costs for employers through a lower tax burden on labor (that was by then collected both from employers and employees), and the introduction of progressive taxation. In practice, it meant a tangible change in the everyday life of a vast majority of Montenegrin citizens, bringing a drastic increase in salary becoming one of the most popular public policies in the history of Montenegro.

The gross domestic product of Montenegro grew in the second quarter of 2023 by 6.9 percent, i.e., it amounts to 1.69 billion euros. In the same period last year, it was 1.42 billion euros. GDP in the previous year amounted to 5.92 billion euros, while in 2021, it amounted to 4.96 billion euros. Using preliminary data from the Monstat report, the government in the technical mandate presented these data as a sign of the highest economic growth recorded in the observed period in Europe. The budget deficit and public debt were reduced. However, the war in Ukraine, the economic effects of the “Europe now!” program, as well as the inflation that hit the world economy after the Covid-19 pandemic and the Ukrainian war clearly affected the macroeconomic parameters of the Montenegrin economy, and these are the arguments used by the opposition to dispute the effects of the government. Projections of the impact of the Europe now program have not been made, especially on micro, small, and medium-sized enterprises as carriers of the growth and development of the Montenegrin economy.

However, in Montenegro’s academia or among politicians and policymakers, there is no consensus regarding a strategic approach to structural macroeconomic issues, and political instability does not motivate political elites to deal with these issues (public debt, foreign trade deficit, diversification of the economy, insufficient domestic production). Radical socio-economic policies without expert analysis and political responsibility can be a long-term problem for the economic consolidation of the state.

FOREIGN POLICY OF MONTENEGRO IN THE NEW GEOPOLITICAL MAP

In June 2017, Montenegro became a North Atlantic Treaty Organization - NATO member. As of January 2021, Montenegro has opened all negotiation chapters with the EU, but only three are temporarily closed. Regarding the foreign, security, and defense policy of the European Union, Montenegro has shown consistent compliance with the Common Foreign and Security Policy of the EU, including EU sanctions against Russia following the aggression against Ukraine. The geostrategic context also influenced the value orientation of the traditionally pro-Russian part of the population, inclining them towards the preference for Euro-Atlantic integration. Regional relations are of particular importance for Montenegro. Montenegro is a member of most regional organizations and initiatives. In Montenegro, there was no wider political support for the Open Balkans initiative. Except for the SNP, the URA, and the Democratic Front, all parties that have good political relations with the president of Serbia, Aleksandar Vučić. The opposition and the non-governmental sector strongly criticized the Open Balkans as non-inclusive (does not include all countries of the Western Balkans), non-transparent (unavailability of founding acts), and too personalized political project based on the relationship between the President of Serbia and the Prime Minister of Albania. President Milatović initially showed openness to the idea of Open Balkan but made no political actions towards the initiative. The prevailing general opinion among the political elite is that the Berlin process is a safer path to the EU for Montenegro.

All reform processes, as well as the formulation of the national interest of Montenegro by all governments after 2006, see European integration as one of the strategic goals of Montenegro. The harmonization of policies and the integration process that the region's countries are going through is often labeled as Europeanization, an insufficiently defined term that indicates the tendencies of social and political changes. In addition, Montenegro aligns its positions with those of the EU, including within the World Trade Organization, and maintains good cooperation with international organizations. The voting pattern of Montenegro in the United Nations in matters important for the EU's foreign policy and principles coincides with the voting of the EU member states.

THREE SCENARIOS FOR THE 44TH GOVERNMENT

The issues in the creation of the 44th government include the insufficient political experience of the mandate holder, the lack of a clear political and programmatic platform of the government, and the lack of resistance of the actors of the negotiation process to external actors' expectations. Through the statements of the highest officials and diplomatic representatives of Western countries as well as countries in the region, external actors influenced the political situation in the country by expressing their preferences regarding the composition of the future government.

After the collapse of negotiations on a broader coalition that would include the Democrats, ZBCG, and minorities' parties due to disagreements with the ZBCG coalition, which had not been satisfied with the received offer, and signals from international partner states that the ZBCG is not a desirable element of the government, Spajić and PES proposed a minimal coalition (41 MPs). However, the creation of a government with a minimal majority failed primarily because of the Democrats' decision not to support the model in which the forty-first vote is given by a candidate from the DPS election list, even though he is a representative of the Albanian party - the Democratic Union of Albanians, but "signed a pre-election agreement with by DPS." After the disagreements within PES, particularly between their leaders Spajić and Milatović, the exclusion from the party of the MP who did not want to support the formation of a minimal majority government, PES called for dialogue again addressing it to ZBCG and URA.

The concept of a broader coalition, which would include the post-August majority and minorities, would be a political expression of Milatović's victory in the presidential elections, when he received the support of the August 2020 majority and thus convincingly defeated Đukanović. By mirroring such support to the composition of the future government, along with the good relationship he built with ZBCG, Milatović would indirectly confirm his legitimacy and political relevance and institutionally have a more direct influence on the future government. Such a government would have a larger number of departments and potentially serious organizational and program deficiencies due to the excessive number of actors.

Another option that was given up at the moment and which was implicitly supported by the ambassadors of Western countries would be a minimal coalition government, based, as in the 43rd government, on the latent support of the Democratic Party of Socialists, especially in parliamentary appointments. Such a government would necessarily suffer from instability and would be a repetition of the scenario of the minority government of Dritan Abazović. Equal in a structural sense would be a government backed by ZBCG with their members participating in the government – with political concessions – President of the Parliament and appointments "by depth" – sub-minister levels of executive power.

The third model, without ZBCG, would include the URA Civic Movement, which is ideologically close to both PES and the Democrats and which Western partners would see as more acceptable with a willingness to more agilely participate in financial and strategic assistance to the future government's work. The exclusion of ZBCG, as a party predominantly voted by Serbs, which has been in opposition since its inception, would further lead to ethnic polarization in Montenegro and face a government with strong opposition in the Parliament, consisting of both DPS and ZBCG.

Changing the government democratically for the first time in its political history, Montenegro has moved from a “stabilocracy” to a “fragilocracy” - a period of the unformed political majority capable of producing a legitimate, effective, and durable government. The period after 2020 was marked as a period of transformation of power, change, and new hope. Still, it also proved to be a period of political uncertainty, democratic and constitutional vagaries, volatility of the body politic, but also repugnance towards the old political class, which, with few exceptions, has not changed for decades.

Montenegro faces important steps in its democratic change: the election of a new government, the completion of judicial institutions, the establishment of a permanent negotiation structure with the EU, and the reform of public administration as a prerequisite for a competitive economy. The challenges of democratic consolidation remain the same: endemic corruption, macroeconomic instability, inefficient public administration, and impermissibly weak institutions.

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