



BULLETIN

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Serbia: War and Order

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Historically and structurally, the civil state (*status civilis*) appears as the opposite of military society (*societas militaris*) and the military frame of mind. Modern nations rely on the formative principles of civil society (autonomy, entrepreneurship, trade, peace, etc.). Where civilized calculation dominates, savage belligerence vanishes, as Benjamin Constant taught us in his long treatise, *The Spirit of Conquest and Usurpation*, according to which the tendency towards peace is the universal feature of modern nations. Constant wrote: 'Modern nations are sufficiently civilized to find war a burden. Their universal tendency is towards peace. . . . A useless war is the greatest offence that government today can commit. It destroys every social guarantee without compensation; it jeopardizes every form of liberty; it injures every interest; it upsets every security: it weighs upon every fortune. It combines and legitimizes every kind of internal and external tyranny.'

Constant's projection has proved to be too optimistic, but it still contains valuable insights for the analysis of political orders whose very formative principles demand reliance on war. The nature of the political order in Serbia is arguably hard to understand if this 'systemic factor' is not analyzed in its own right. One of its most obvious formative principles is a strong emphasis on *uniformity* and *levelling*. Uniformity is for this type of political order what

uniforms are for soldiers in war. War always strengthens unity and uniformity; everything gradually loses its particular character and political colour. The right to difference (defined by Jellinek as the precondition and place of origin of civil rights) is suppressed by emphasizing collective values; individual autonomy vanishes within



dominant collective identities. Everything opposed to these values is marked off as disorder and anarchy. Individual freedoms surrender to *raison d'état*, and *national patriotism* becomes the axis for shaping the political and cultural identity of the nation. The principle of citizenship is replaced by the idea of the people *en masse*, the sacrosanct leader, the political formula of conspiracy (a platitude readily used by the Serbian regime after the international community imposed a blockade), and by permanently manufactured *enemies*, which serve as the fundamental form of extra-systemic support.

This latter feature has been defined as an essential characteristic of caesarist political formations. The

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formula of *negative legitimacy*, accompanied by the totalitarian friend-enemy pattern, reveals that the 'new order' is still intimately connected to the 'old regime' in terms of its technology of ruling. In this totalitarian political pattern it is only the sign that is changed: instead of the 'class enemy' now there are members of other ethnic and national groups.

But the technique of generating 'organized consensus' is complemented by the strategy of corrupting a portion of the population (the active and belligerent supporters of the regime), and keeping the rest of the population in a state of passive obedience.

Analyses have shown that the chief allies of the Serbian political order are a 'new class' recruited mostly from non-productive strata (war profiteers, the underground, criminals, etc.), then members of the old 'regime' (the military, the police, the administration) and, finally, the lumpenproletariat. The omnipotent state and its paternal

obligations become the basic custodian of people's rights, freedom and property. This type of order, as Tocqueville showed, rests on the total destruction of civil society: all connections among people are severed except those relating to mere survival, as happened during the period of hyperinflation and organized robbery of the people in 1992 and 1993.

Constant admonished politicians of his age: 'Learn civilization if you wish to reign in a civilized age. Learn peace, if you wish to rule over peaceful peoples.' In post-communist Serbia, by contrast, civil society is principally a *normative* concept. Its social base is weak, undeveloped, and choked and suppressed by the repressive practices of an authoritarian regime. In this arena of (anti)politics two important tendencies emerge: one is expressed in the poor and fragile political infrastructure inherited from the 'old regime', in which - as Gramsci put it - 'the state was everything, and the civil society undeveloped and rudimentary'; the other important tendency is the manner in which either pre-modern autonomies have been colonized by the omnipotent state, or their organic-parochial substance has been enhanced, thus making them potential supporters of new types of authoritarianism.

The fragility of the liberal and individualist traditions in Serbian society has greatly contributed to this state of affairs. The organic-collectivist identities legitimate anti-liberal and bellicose movements. But the history of caesarist regimes shows that nationalist patriotism ('Serbianhood', 'Croatianhood', 'Bosnianhood', etc.) ensures neither stability nor a democratic structuring of the state. Nationalist patriotism is a weak basis on which to establish a basic (substantial) consensus.

The caesarist type of government is always a form of usurpation. It is, therefore, constantly marked by the impossibility of establishing legitimate and stable rule.

That is why the political order in Serbia may be defined as a peculiar form of *quasi-legitimate* government, a permanent striving to legitimate

usurpation. Quasi-legitimate government - in the words of the Italian political writer Guglielmo Ferrero - hides the principles of *force, fear, and insecurity* behind *apparent freedom, apparent institutions and apparent legitimacy*.

Quintus, in a letter to Cicero, described such a state thus: 'You see there is no republic, there is no Senate, there is no dignity in any of us.' The political conditions in Serbia closely resemble this situation. Institutions without prestige and authority; *h u m b l e d i n d i v i d u a l s*; permanent de-institutionalization of the legal and political orders are its essential characteristics. Its political institutions have been destroyed by introducing the old *ochlocratic principle*; the de-institutionalization of the legal and political orders has established 'anarchy in the name of the order', and the hyperinflation of legal norms has gone hand in hand with the state of threatened liberties and unwarranted rights.

All this is accompanied by permanent political and legal mobilization: projects or principles are adopted today only to be forgotten or made impossible tomorrow. This has served to generate 'high tension' within the political public, on whose support, after all, the political power of the 'popular tyrant' always rests. Like Napoleon, who used to say that the exceedingly great expectations of the public might be satisfied only if 'he gave the French something new every three months', Milosević shows that he has learned and rehearsed this ancient political technique very well. His rule so far has been a kind of history of deceptions, betrayals, deceits and force. One political project has been followed by another; political formulae are constantly replaced; and a prominent position has been reserved for 'special' projects, like 'the loan for the survival of Serbia', the 'rapid railways', the

plundering of citizens' hard currency savings, and the promise of the 'all-Serbian unification'. There have been no serious social and political correctives to this project.

The caesarist order has nevertheless proved to have its own *limits* and its reservoir of plebiscitary-populist support is obviously not inexhaustible. War appears as the most important legitimizing source of this regime. During war even elections acquire some basically plebiscitary features, while the first defeat in a war



(military or diplomatic), as the German political thinker W. Roscher has written, 'brings Caesar home'. *Peace is the greatest enemy of this type of order*. Not only does peace awaken the hope for a democratic reconstitution of the state through the formula of civil and constitutional patriotism. The danger also lies in the fact that what emerges out of chaos as a rule will disappear in chaos, as Franz Neuman writes in his study of caesarism.

The history of caesarist governments shows that this type of order is dissolved in one of three ways: through popular revolt that results in its being toppled; through loss of popular support under conditions of external aggression; and through the slow decline of the leader's power in shameful and unpredictable ways. The third future seems to be the most probable for the Serbian regime.

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