

THE ROLE OF CIVIL SOCIETY IN FOSTERING GOVERNMENT ACCOUNTABILITY IN CONTEMPORARY SERBIA: ON THE LIMITS OF DEPOLITICIZED SOCIAL ACTIVISM

Uloga građanskog društva u uspostavljanju odgovorne vlasti u savremenoj Srbiji: O granicama depolitizovanog građanskog aktivizma

ABSTRACT: It is often assumed that vibrant civil society is precondition for democracy, government accountability and rule of law. Following this assumption, international development agencies, civil society organizations and even governments are participating in activities aiming for the social accountability, that is, accountability of governments towards societies. In this article I am analyzing activities of prominent Serbian non-governmental organizations (NGOs) in the field of fostering government accountability. The analysis focuses on their ability to shift the balance of social and political power away from the state. The analysis is primarily based on empirical data collected through a series of in-depth interviews with representatives of NGOs. It reveals that NGOs follow policy-not-politics, that is, a depoliticized approach, that they target individual citizens and not social groups and nurture relationships with state institutions and public officials with whom they cooperate. They demonstrate a weak ability to (1) initiate wider civic mobilization or (2) establish solid institutional preconditions for government accountability. Thus, available data suggests that Serbian NGOs have weak potential to contest power of the state and thus contribute to strengthening government accountability and rule of law.

KEY WORDS: government accountability, rule of law, social accountability, civil society, sociology of law, Serbia

APSTRAKT: Obično se pretpostavlja da je živo građansko društvo pretpostavka demokratije, odgovorne vlasti i vladavine prava. Sledeći ovu pretpostavku, međunarodne razvojne agencije, organizacije građanskog društva, pa čak i vlade, sprovode aktivnosti koje teže da se uspostavi odgovornost vlade prema građanima.

1 Email: danilo.vukovic@ius.bg.ac.rs

U ovom tekstu analiziram takve aktivnosti vodećih srpskih nevladinih organizacija (NVO). Analiza je usmerena na njihovu sposobnost da promene odnose društvene i političke moći da štetu države. Analiza je primarno zasnovana na empirijskim podacima dobijenim dubinskim intervjuima sa predstavnicima ovih NVO. Rezultati pokazuju da se oni bave javnim politikama, a ne politikom kao takvom, to jest, da primenjuju jedan depolitizovan pristup, usmeravajući svoje aktivnosti na pojedince, a ne na društvene grupe i negujući odnose sa državnim institucijama. To ukazuje na njihov mali potencijal da (1) pokrenu širu društvenu mobilizaciju i (2) uspostave jake institucionalne pretpostavke odgovorne vlade. Dostupni podaci ukazuju da srpske NVO imaju mali potencija da ospore moć države i tako doprinesu jačanju odgovornosti vlade i uspostavljanju vladavine prava.

KLJUČNE REČI: odgovornost vlade, vladavina prava, odgovornost prema građanima, građansko društvo, sociologija prava, Srbija

1. Introduction

Civil society, rule of law, and government accountability are concepts often associated with scholarly traditions of political sciences and legal theory. In this literature, there is a rather widespread understanding of civil society – government accountability nexus that presumes an important role of civil society in fostering democracy, rule of law and good governance (Malena, Forster and Singh, 2004; O'Donnell, 2004; Pavlović, 1995; Peruzzotti and Smulovitz, 2006).² However, this nexus is far from being unquestioned (Encarnación, 2011; Harriss, 2001; Roy, 2008). In this article I analyze it from a different, sociological perspective. This means first that the concepts of rule of law and government accountability are analyzed as resting on the balance of powers and plurality of societal interests of various social groups and actors (following, among others Unger, 1976) as opposed to looking at it as a more or less adequate institutional setting and more or less adequate strategies of major political actors. In this perspective, social interests, social groups and specific cross-group alliances are fundamental elements that can sustain the rule of law. Therefore, in analyzing the role of civil society in fostering rule of law and government accountability I will be assessing its ability to challenge existing underlying power structures in present Serbian society thus contributing or not to the strengthening of the rule of law. Secondly, it is a sociological analysis insofar as it treats its main subject as societal fact entrenched in existing network of actors, interests and values. Legal and political institutions are understood here as results of specific composition of societal actors, their interests, actions and interactions (Edelman, 2004). In that sense, this article represents an attempt to understand legal and political institutions from an abstract but still empirically grounded sociological perspective. Finally, it is a sociological endeavor in a methodological sense too, as it rests on a fieldwork research carried out through a series of in-depth interviews with representatives of civil society actors.

2 This article was prepared as part of the project "Identity Transformation of Contemporary Serbia" implemented by the Faculty of Law, University of Belgrade.

This article is a part of a wider research effort that aims to assess the role of civil society in fostering government accountability and rule of law in a comparative perspective.³ While the overall research goal is to test the widespread understanding of the crucial role of civil society in establishing and consolidating the rule of law, in this article I have a less ambitious objective – to present and critically assess various strategies of civil society actors working towards government accountability and rule of law in contemporary Serbia. More specifically, I aim to present and analyze (1) structural features of civic activism in the field of social accountability (SA), and (2) their ability to change power relations that support or work against government accountability and the rule of law.

The article is composed from four parts. The first lays out the theoretical framework for the subsequent analysis. In the second part I introduce various SA practices of Serbian NGOs. The third part critically assesses these practices and their effects, while the final section contains concluding remarks.

2. Theoretical framework: social accountability, civil society and rule of law

2.1. Social accountability

Accountability is “a relationship between an actor and a forum, in which the actor has an obligation to explain and to justify his or her conduct, the forum can pose questions and pass judgment, and the actor may face consequences” (Bovens, 2007: 450–451).⁴ O’Donell (2004) differentiates between *vertical* and *horizontal accountability*. Vertical political accountability stems from free and fair democratic elections whereby politicians are accountable to voters for their actions. SA is another kind of vertical accountability. It takes place when societal actors, or what is commonly denoted as civil society, demands that the wrongdoings of government officials are prevented or punished through the legal system. A third kind of accountability is horizontal, where state institutions “act to prevent, redress, or punish the presumably illegal actions (or inactions) of public officials” (O’Donell, 2004: 37). Horizontal accountability is in place where independent judiciary or independent regulatory bodies act to address cases of misconduct or illegal actions of public officials. While vertical or electoral accountability must by definition exist in a democracy, the degree and effectiveness of societal and horizontal accountability is an indication of quality of democracy (O’Donell, 2004 :37).

3 One segment of the research, conducted in Cambodia, was published in Babović and Vuković, 2014.

4 As Bovens noted, in contemporary political and scholarly discourse, ‘accountability’ often serves as a conceptual umbrella that covers various distinct concepts, such as transparency, equity, democracy, efficiency, responsiveness, responsibility and integrity. In some contexts (particularly American), accountability is often used interchangeably with ‘good governance’ (Bovens, 2007: 450).

There are two interpretation of SA:

1. *Narrow*, in which SA equals the *monitoring* of state actions, and
2. *Wider*, in which SA includes the monitoring of state actions, but also *participation* in design and delivery of policies and services.

The first interpretation states that SA is a mechanism whereby citizens, citizens associations and movements, and media hold political authorities accountable through various actions that include budgetary monitoring, performance monitoring, naming and blaming and similar measures and mechanisms. The actions of these groups monitor government officials, expose governmental wrongdoing, and can activate the operation of horizontal agencies (Peruzzotti and Smulovitz, 2006: 10).

In this interpretation, SA supports democratic transformation and consolidates, or even lays the social foundation for democracy and rule of law. Peruzzotti and Smulovitz (2006) claim that SA actions that expose wrongdoings of the government can activate mechanisms of legal accountability. The authors further observe that “public exposure of issues and wrongdoing not only generates symbolic costs to the officials or agencies suspected of wrongdoing but also, by bringing cases of corruption or official misconduct into the public agenda, forces political institutions to address these cases and raises the actual costs of illegal or improper political behavior” (Peruzzotti and Smulovitz, 2006:11; *cf.* Rodan and Hughes, 2011). In this way SA mechanisms also contribute to the rule of law.

The second line of argumentation emerges predominantly from the discourse of international development agencies. It is closely connected to the good governance agenda, especially one promoted by the World Bank. Traditional SA included political actions, such as demonstrations, advocacy campaigns, investigative journalism and public law suits. To these, experts of the World Bank or UNDP add more technical approaches: participatory public policy-making, participatory budgeting, public expenditure tracking, citizen monitoring and evaluation of public service delivery. This requires informed citizens with knowledge of public policies and procedures (Malena, Forster and Singh, 2004:3 *ff.*; UNDP, 2013). This approach to SA has often been illustrated with the catchphrase “counting, not shouting⁵ (World Bank, 2004).

In this research, I am using the wider concept of SA because SA practices of Serbian civil society actors have primarily been conceptualized and financed by international development agents. This is a technical and depoliticizes concept of accountability that insists on collaborative strategies towards the government and participation in complex processes of design, implementation and monitoring of

5 The phrase “counting, not shouting” refers to the World Bank approach to citizens participation in politics that goes beyond voting and demonstrating when citizens are dissatisfied with the government and its work. This approach promotes active participation in public policy making and implementation through monitoring of public expenditures, participation in budget design, monitoring performance of public institutions and officials and other means of intelligent usage of data for improvement of performance of the government (*cf.* e.g. www.worldbank.org/participation).

policies as opposed to political actions against the state that include mobilization, demonstrations, using lawsuits etc. Trend towards depoliticization is a feature of international development across numerous fields, from social policy to the government accountability and the rule of law (Deacon, 2007; Fisher, 1997; Harriss, 2002; Kamat, 2004). Its key feature is a reluctance to acknowledge underlying social and political changes and changes in the distribution of power and resources as preconditions for policy and political changes. These changes are typically achieved by creating cross-group alliances (or alliances among social classes and groups, *cf.* Baldwin, 1990; Korpi, 1983; Babović, 2002). It was also the collective alliances and political actions of social groups (Third Estate, aristocracy etc.) that played prominent role in laying foundations of government accountability and the rule of law (Tamanaha, 2004; Tamanaha, 2009). In recent Serbian history, there is at least one significant example of social and political change that was, *inter alia*, fueled by wide social alliances that emerged in the wake of it. This was the case with 2000 democratic changes, when wider segments of society, most notably workers and farmers joined the anti-Milošević camp in 2000.⁶

Finally, we should distinguish “soft” and “hard” accountability (Fox, 2007b). Fox emphasizes that for many, answerability without consequences falls short of accountability. Soft accountability refers to answerability alone, while hard accountability refers to answerability plus the possibility of sanctions (Fox, 2007b: 668). Hard accountability relies on the capacity of social movements and organizations to force states to impose sanctions.

2.2. Rule of law

In a sociological perspective, rule of law is understood a set of legal and political mechanisms sustained by a favorable composition of underlying societal interests. The rule of law, at its core, requires that government officials and citizens be bound by and act consistently with the law. Government officials are limited by law in two senses: (1) they must comply with positive

6 During 1990s there was a series of civic protests against the regime, especially in 1996–1997. These protests were rooted in Serbian middle classes, while workers were not supporting the program of deep social and economic transformation proposed by then opposition parties. They rightly perceived themselves as the potential main “losers of transition”, as was the case in the transition countries during 1990s and as it was later confirmed by the course of the events in Serbia (*cf.* Cvejić, 2006). Rural population and especially small landholders were the second group that did not perceive benefits from social and economic transformation. These groups, together with pensioners, were the main backbone of the Milošević regime (Babović, 2002: 75). It was only after the NATO bombing of Serbia, when Serbian economy was close to collapse and poverty heightened, that workers started to reorient. During 1999, researchers identified shifts in their attitudes and political behavior, especially in terms of more frequent participation in anti-government demonstration. At this point, it was obvious that their socio-economic position was already deteriorated and that even in the present system they were the main losers (Babović, 2002: 83). This shift in attitudes of workers was one of the key social preconditions for political changes that led to ousting Milošević regime (obviously, there were other factors that contributed to this outcome, ranging from coordinated international intervention and support in establishing unified opposition front to loss of self-confidence and faith in ability of the regime to sustain itself among some of its key figures).

laws and (2) they can change the laws, but there are limitations for lawmaking activities imposed by laws and by widely accepted list of human rights. They are required to consult and conform to the law while taking actions, and legal rules provide publicly-available requirements and standards that can be used to hold government officials accountable both during and after their actions are taken (Tamanaha, 2009: 4–8).

In order to establish the rule of law, a list of institutional and wider societal or cultural preconditions must be met, and there are divergent views with regards to the importance of any particular set of factors (*cf.* Przeworski, 2003; Tamanaha, 2004; Tamanaha, 2009; Unger, 1976; Weingast, 1997). However, there seems to be an agreement that rule of law emerges when none of the dominant social actors is capable of establishing control and domination over major political and economic resources in a given society and permanently exclude other actors from the decision making or control over the resources. Therefore, the rule of law can be analyzed in the light of ideas of self-regulation and self-restraint, since it enables legal and property certainty for individuals and groups which are not in power at a given point in time by imposing legal limits on those currently holding power.

Historically, the roots of the rule of law might be identified in the struggle of popes and kings for the supreme power, Germanic customary law (that envisaged that kings as subjects to law rather than divine and held that the people had a right to resist when the king was breaching the law) or the struggle between aristocracy and royalty that resulted in the *Magna Carta* (Tamanaha, 2004: 15ff). It was also fueled with development of Western European legal profession and merchants, that is, the Third Estate that mostly lived in cities and had no political power but gradually managed to increase their political and social status and protect their property by making alliances with kings and nobility. These alliances led to the growth of free cities, the liberation of serfs and their transformation into free labor and establishment of new order that protected property and interests of the growing class of capitalists (*Ibid.*: 22 ff; Unger, 1976: 70ff; Scheuerman, *ed.*, 1996: 101ff). Wherever the rule of law emerged, nobility, the Third Estate or the alliance of those groups played an important role in limiting royal powers by forcing the authorities to acknowledge their rights or by participating in the government themselves.⁷

This brief account of historical background of the rule of law tradition indicates that it depends on the ability of societal and political actors to contest the state and rulers. I believe the same condition applies for the government

7 It is important to note that the immediate inspiration underlying this idea was not the preservation of individual liberty, but the restraint of government tyranny (Tamanaha, 2004: 115). Although the roots of rule of law are to be found in a plurality of societal interests, this is not in itself sufficient ground for its existence. Strong social interest groups can agree to rely on flexible power sharing arrangements (such as cartelization) that would balance their interests and not develop public administration or judiciary. The transcendental or meta-legal principle of natural law is the second necessary condition for establishing the rule of law: It brings the ideas of equality and limiting the activities of majority to individual rights (Unger, 1976:84–85).

accountability as it can be seen as one aspect of the rule of law, or more precisely and following O'Donnell, of the *democratic rule of law*. Democratic rule of law entails, he states, that there exists a legal system that is itself democratic, in three senses: 1) It upholds the political rights, freedoms, and guarantees of a democratic regime; 2) it upholds the civil rights of the whole population; and 3) it establishes networks of responsibility and accountability which entail that all public and private agents, including the highest state officials, are subject to appropriate, legally established controls on the lawfulness of their acts (O'Donnell, 2004: 36).

2.3. Civil society

Among various societal actors that might play a role in sustaining the rule of law, civil society holds a prominent place in social and political theory as well as in contemporary policy and political arenas. As emphasized by Omar Encarnación (2011), prior to the 1990s, the term civil society “was not only largely relegated to arcane discussions in political theory and philosophy but also virtually without a history with regard to the academic thinking about political development and the work of international development agencies” (Encarnación, 2011: 17). However, at present, “references to civil society have become almost obligatory in any academic or policy discussion about development regarding either politics or the economy” (*Ibid*: 17). Following this implicit academic standard, I will briefly sketch the way the concept is used in this analysis.

The idea of civil society rests on a long tradition of Western social and political philosophy (Ehrenberg, 1999; Molnar, 2003). In development circles and contemporary civil societies a Tocquevillian interpretation of civil society prevails: a realm in which citizens aim for the fulfillment of their individual or collective interests. Civil society encompasses organizations, social movements, informal groups, civil participation by individuals in public and political life, and a democratic public sphere. In a strand of literature that largely informs policy interventions, civil society is narrowed down to enable practical operationalization and direct social, economic and political interventions. Thus, civil society is reduced to “non-profit” or “non-governmental organizations”, the “third sector” or “social economy”, and debates are focused on the efficiency of civil society actors in delivering social services and the retreat of the welfare state (Edwards, 2011); the role of a vibrant civil society in fostering good governance (Malena, Forster and Singh, 2004); the rule of law (Peruzzotti and Smulovitz, 2006); or democracy (O'Donnell, 2004). This neoliberal interpretation of civil society as an arena in which civic associations or NGOs are acting, also dominates contemporary debates and public policy in Serbia (*cf.* Golubović i Velat, 2009; Mikuš, 2013; Vladara RS, 2010).

Modern development paradigm relies on NGOs rather than states as agents of genuine public interest and the main catalyst of bottom-up development (Kamat, 2004; *cf.* Mandel, 2002; Roy, 2007; Sampson, 2004; Vuković, 2010).⁸

8 On the other side, critical authors point out limitations of this approach (that often views the role of NGOs in development rather optimistically) in terms of its theoretical assumptions as well as policy interventions that are based on it (see e.g., Babović and Vuković, 2014b;

NGOs are imagined as true representatives of the interests of their communities due to their grassroots character and supposed ability to understand the needs of their respective communities. They are intermediaries between citizens and the state and a channel for the articulation of citizens' interests (Golubović i Velat, 2009).⁹ NGOs are perceived as the main agents of the change towards government accountability and the rule of law. They are supposed to initiate and provide demand for a shift from non-responsive institutions that serve the interests of the elite, enabling their hold on resources and the state itself, to more transparent and accountable institutions (*cf.* Encarnación, 2011; Harriss, 2001; Mosse and Lewis, *eds.* 2006).

2.4. Context and methodology

Activities of Serbian NGOs dealing with government accountability and rule of law take place in a socio-political context marked by widespread corruption (Antonić, 2006; Nikolić, 2013; Stojiljković, 2013), insufficient government accountability and weak institutional capacities of judiciary (Marinković, 2009; Marković, 2011; Mendelski, 2013; Orlović, Slobodan, 2010; van Duyne, 2013; Vuković, 2011), underdeveloped regulatory bodies (Milenković, 2010; Orlović, 2010) and media captured between economic dependence and political pressures (Savet, 2011). Civic activism is furthermore hampered by its societal underpinnings: majority of Serbian NGOs lack grassroots character (Mikuš, 2013) and civic activism is rooted and limited to middle classes¹⁰. To this, we may add the ambiguous attitudes of citizens towards the rule of law that seem to be conditional and dependent on other socio-economic factors (Vuković and Cvejić, 2014).

Over the years, institutional framework has been improving and it now includes Commissioner for Information on Public Interest and Data Protection (CIPI), State Audit Institution (SAI), and Ombudsperson. Their importance in public life is rising, particularly of CIPI and Ombudsperson, but, the resistance

Encarnación, 2011, Joshi and Houtzager, 2012; Springer, 2010; Rodan and Hughes, 2012; Roy, 2008). Unfortunately, this discussion goes beyond the scope of the work presented here.

9 This perception of a necessary partnership between NGOs and the state in achieving democracy, rule of law, better governance, better public services etc. takes an institutional form in Serbia – the Government Office for Cooperation with Civil Society. Although the government acknowledges the importance of civil society organizations in fostering democracy, rule of law, and related principles (Vlada R.S., 2011), the mandate of the office is worded in a different manner: e.g. initiating dialogue with civil society, participation in the preparation and monitoring of implementing strategic documents dealing with enabling environment for the development of civil society (Vlada RS, 2010). Nevertheless, it is important to note that the government conforms to widely accepted understanding of civil society and its role in development that I have just outlined, while still putting some effort into structuring, channeling and controlling the relations and interactions with it.

10 Only 15% of population are active members of civic associations, with larger proportions among of respondents from higher social strata (46%) and middles classes (21%), and lower among workers (15%) and farmers (5%), Research “Challenges of New Social Integration in Serbia” conducted by Institute for Sociology of the Faculty of Philosophy in Belgrade in 2012, original dataset, authors' calculations.

of state institutions and public official remained to exist, too (EK, 2014). One segment of institutional system which is of paramount importance for government accountability and rule of law – judiciary – has been under fierce criticism for lack of political independence and inability to cope with numerous cases of misconduct of public officials (Marković, 2010; Pavlović, 2012).

The result is slow progress towards rule of law and government accountability marked by apathetic civic resistance to cases of misuse of power. Among numerous cases, the followed did left some mark in public discussion and still have significant symbolic importance: plagiarism in PhD thesis of public officials, breaching of official procedures in the case of urban development in the case of Belgrade Waterfront, 24 cases of suspicious privatizations (that even became an issues in the EU accession program), misuse of security personnel by high government officials, etc. (for the overview *cf.* Vuković, 2011).

Nevertheless, recent years have witnessed countless projects of Serbian NGOs focused on anti-corruption, public procurement, openness and transparency of state institutions and other aspects of government accountability . Judging by the overall progress towards the rule of law and government accountability, the lack of institutional changes, weak judiciary and lukewarm civic activism, these activities had only a minor impact on the overall progress in these fields. In this article, I will explore why this is the case.

Putting a pressure on government to become more accountable requires a shift in the balance of powers away from the state. It is precisely the structure of NGO activities that hinders their ability to change power relations. More precisely, my hypothesis is that civil society actors are not tackling these power relations because (1) they are not *mobilizing citizens* to stand against arbitrary use of power and (2) they are not creating persistent and effective *institutional mechanisms* that sustain government accountability. Their activities are analyzed within the dynamic framework offered by Joshi and Houtzager (2012) that is composed of the subsequent types of activities: (1) collecting information, (2) monitoring, (3) demanding justification, (4) requesting explanation, (5) filing law suits, and (6) protesting. To this, I have added (7) networking or creating political and social alliances that cross the boundaries of social groups (cross-group or inter-class social and political alliances), because, as we have seen, deep and far-reaching social and political changes actually take place when such alliances are created.

This data-collection was conducted through a series of semi-structured interviews with representatives of NGOs active in the field of government accountability. In addition to fieldwork, I have conducted desk research on cases which were subject of the interviews (specific civic actions, public procurement or privatization cases etc.) to empirically validate data and findings. The sample of respondents was collected through the so-called snowball method. The first respondent was a representative of a prominent national NGO that deals with accountability and transparency. Each respondent was then asked to identify several NGOs or civic initiatives with which they work(ed) or cooperate(ed) and which they considered relevant actor in this field. The recommendations

were based on the two criteria: (1) the organizations were supposed to be dealing with fostering government accountability and (2) they ought to be actively cooperating or have the history of cooperation with the respondents' organization. The cooperation was operationalized as joint implementation of activities regardless of the nature of the activities (e.g., projects, voluntary work, advocacy, etc.). In the second round five interviews were held. In the third round seven interviews were held.

3. Social accountability practices in contemporary Serbia

3.1. Social accountability networks

Four groups of actors crystallized in the early phases of the research: (1) investigative media, (2) professionalized NGOs¹¹, (3) NGOs that put more emphasis on community activism¹² and (4) informal civic initiatives.¹³ Networks of collaboration (which I will for the sake of convenience call "accountability networks") include all types of actors, and sometimes it is hard to establish clear boundaries between these four categories. Therefore, they are used more as analytical tools for distinguishing various dimensions of work and organizational structures.

Accountability networks are narrow, and already in the second round of interviews the circle was starting to close and I was given recommendations to contact NGOs that I have already been recommended or interviewed. Furthermore, I was also recommended to contact individuals, state institutions or informal groups that mostly operate in virtual world (e.g. radical leftists or anarchists groups operation on Facebook and some of these refused to participate in the research). This scarcity of NGOs in this field has been admitted by respondents themselves who often refer to civil society as "weak", "lacking grassroots", or "fragmented". At the same time, the scene is characterized by a number of project-based coalitions of NGOs gathered around a specific subject (e.g., freedom of information, public finances, EU accession). Ironically, the same actors are members of a large number of project-based temporary coalitions.

There is also a severe limitation in terms of the types of actors involved in particular collaborations. Typically, NGOs collaborate with other NGOs and state institutions. Most notably, NGOs cooperate with local self-governments,

11 Typically, these are NGOs formed in the wake or during the post-socialist transformation, with professionalized management, specialized in project-based work and with low level of community activism and entrenchment. They are skilled in public policy analysis and implementation, advocacy and lobbying, PR and media involvement, with high technical skills and sectorial expertise, but far less links to membership and ability to mobilize citizens.

12 By this I refer to NGOs that are more closely connected to their communities and more involved in citizens' mobilization. While they retain project-based orientation, they are far more entrenched and involved in particularly local but also national politics and civic mobilization than the first group.

13 Informal civic initiatives are either short-term initiatives, gathering citizens around a specific, typically local issue (e.g. resistance to new urban development plans) or more long-term initiatives without organizational structures (typically relying on social networks).

ministries and independent regulatory bodies. NGOs rarely collaborate with interest based organizations such as trade unions, business associations, political parties, community groups or informal civic initiatives. Informal groups tend to cooperate among themselves and are not particularly open to external researchers.

Although the phrase SA does not appear in the NGOs vocabulary, recent public debates are marked by trademark phrases of this approach, such as “transparency”, “participation”, and “accountability”. The domination of NGOs in the field of SA activism indicates a strong donor influence on SA agenda, and this in this respect the situation is very similar to those in the other parts of the world (see e.g. Babović and Vuković, 2014; Fox, 2007; McGee and Gaventa, 2010; Peruzzotti and Smulovitz, 2006). The activities of the organizations that participated in this research fall into one or more of these analytical categories: (1) monitoring, (2) information sharing, (3) capacity building, (4) civic participation, and (5) enforcing legal accountability. These are ideal-type categories, and a single NGO project or initiative can correspond to more than one. Moreover, these activities can often be viewed as falling on a continuum. Here, this classification scheme has the purely analytical purpose of exploring structural features of SA activities and their underlying logic.

3.2. Monitoring

In recent years there has been a proliferation of monitoring activities of NGOs. They are monitoring public procurement procedures (procurement plans and their execution), budgetary processes (preparation and execution of budgets), law enforcement, various stages of public policies process, etc. The last ones include analysis of public policymaking processes and the identification of cases of misconduct (most typically, breaching the procedures regarding civic participation in policy making), in addition to analysis of influence that particular private interests have on policy making process. A variety of activities fit under this umbrella category, from requests for information, justifications and explanations, to the monitoring of court cases and the tracing political influences or professional inconsistencies, to the writing and disseminating of analysis.

A common strategy of NGOs is to request information from public or state institutions based on the Law on Free Access to Information of Public Interest (LFA). In case the request is denied or ignored, an official complaint is then sent to CIPI. After obtaining the information, it is disseminated among wider public. This work heavily depends on (1) the LFA and the CIPI and (2) resistance on behalf of the government and its officials.

The existence of LFA and CIPI is perceived by my respondents as one of the victories of civil society in their quest for accountable government. Moreover, it is the single most often emphasized example of successful SA efforts and the most notable change in power relations in contemporary Serbian society and politics related to the issues analyzed here. Sometimes this success is attributed to the personality of the Commissioner and his political skills and sometimes to the ability of NGOs to combat efforts of the political elites to limit the influence

of the CIPI. When speaking about the success stories, one of the prominent human rights activists states that successes are visible “*more at the level of the legal framework, than on the level of long term practice [...] the Commissioner is functioning well, there is a long term practices and this issue is somehow finished, but in other places it is not so visible*” (Head of a national NGO, 2014).

On the other hand, each of the interviewed representatives of Serbian NGOs and movements spoke about strong opposition by the politicians and officials to all activities aiming at increasing their accountability. This indicates a weak record of changes in the power structures that I am analyzing as foundations of the governmental accountability and the rule of law.

“At the beginning, our local self-government issued two tenders for the same procurement [...] in order to stay under the limits of open public procurement [...] now they do not make these kinds of frauds. Now they make games with the special conditions of the tender, like we need a 14 meters crane for this and the highest electrical pole is 12m and there is only one company which has such crane.”

(Head of a local NGO from northern Serbia, 2014).

There is wide agreement among respondents that effective monitoring is enabled by the regulation on freedom of information but even more by its effective implementation on behalf of the present Commissioner. However, monitoring activities themselves do not make much sense without two additional tools that will be analyzed in the next paragraphs. The first is *information sharing*, as public exposure is a way to expand the impact of findings by increasing the reputational and political costs of misconduct. The second is the *enforcement of legal accountability*, a set of activities often informed by or even grounded in various monitoring efforts (e.g. raising law suits based on the monitoring of state institutions and findings of investigative media), through which the idea of accountability of government officials and politicians is fully materialized.

3.3. Information sharing

Public dissemination of information about the work of government officials and state institutions is a common feature of almost all NGO activities. There are at least two types of activities in this field: (1) gathering information and informing citizens about the activities of government officials (typical representatives are Open Parliament initiative that publishes transcripts of Parliament and committee sessions in a user-friendly manner or local NGOs that inform citizens on budget expenditures of local officials by publishing data on local internet portals or press conferences), and (2) involved in in-depth policy analysis and investigative journalism carried out by NGOs and internet media.

In the last decade, investigative journalism has become less a part of the regular reporting of traditional media and more located in the NGO community and internet media, all of which are heavily supported by international donors. In spite of the fairly developed internet-based scene of investigative journalism, interviewed NGOs and media representatives stated that their ability to reach the

wider public is severely limited unless they are able to make a way into traditional media outlets (primarily television and daily newspapers). This, on the other hand, depends on the interests of political structures and actors that they feel as strongly influencing media scene. Some of their stories did find their way in and even turned into high-profile political or court cases (e.g. cases of political corruption and drug smuggling). However, this often takes place under strong political influence, and there is a shared understanding that high-profile cases of misconduct of particular officials might become a headline story primarily as a consequence of a political decision. A good example comes from the work of an independent NGO active in the field of investigative journalism:

“In 2011 and 2012 we have published a story on procurement of garbage containers in Belgrade. At that time, when we published a story of tender fraud, no one reacted. The story was not even published in mainstream media. Six months ago these people were arrested. But this does not make me satisfied. Because, if there was no change in power, and were the new ones for some reasons not interested in catching this particular group, and they do not go after all of them, but they have targeted these ones [...] During the election campaign¹⁴ our articles on Djilas¹⁵ from 2011 and 2012 were on front pages of Kurir¹⁶ for weeks. We never had bigger outreach than in this period. I was in delirium these days, because someone turns you into a part of the campaign and no one says this story was made two years ago.”

(Head of NGO dealing with investigative journalism, 2014)

This is due to the lack of independence and professionalism of the media, as regularly reported by respondents.¹⁷ Media is perceived as either being strongly influenced by businesses tied to political elites and dependent on their advertising budgets (cf. SBPK, 2011) or under the direct influence of political or criminal structures.¹⁸ For these reasons, the media are unable to facilitate a critical public discussion. In this sense, media are not perceived as powerful social structure that could challenge elites and their misconduct, nor can they significantly change the existing power structures in Serbian society. For these reasons, many of the information sharing activities undertaken by various NGOs

14 Here, reference is made to the 2014 elections.

15 Dragan Djilas is a former Belgrade mayor and the former president of the now weak opposition Democratic Party.

16 Kurir is a pro-government, yellow journalism daily newspaper.

17 Strangely enough, in spite of this and the history of relations between free media and political elites, media are often not referred to as a part of the civil society sphere by NGO representatives.

18 “Our public is anesthetized by terribly bad media that are working for recognizable political and business groups and even organized crime. Do you understand that mafia had their own media, and not one, but two, one daily and one weekly newspaper? It’s a fact and it was proven in front or the court. It’s not different today. It’s only a little bit more complicated [...] the rest are open for offers, and the best offer comes from organized crime: big, clean money now! So you can see a total relativization of the Šarić trial in at least four media [Darko Šarić accused and under a trial for smuggling 5.7 tons of cocaine from South America – D.V.]” (NGO dealing with investigative journalism, 2014).

are aimed directly at individual citizens and their empowerment by building capacity for exercising pressure and demanding accountability.¹⁹

3.4. Capacity building

Capacity building programs include trainings, seminars, and the preparation of publications and websites that aim at educating citizens, government officials and politicians on issues like anticorruption, public finances, procurement, public policy processes, and civic participation. There is also a rather developed line of capacity building activities for NGOs and journalists, as well as for individual citizens. Capacity building programs for citizens basically aim at empowering them to act in the public sphere. The underlying logic is that empowered citizens are more likely to practice SA and thus contribute to the rule of law or good governance. In Serbia, like in other parts of the world (Babović and Vuković, 2014), empowering citizens often means increasing their knowledge.

“The biggest obstacle is lack of knowledge [...] You can graduate at the university and still not know how the state functions [...] The potential of citizens to deal with these things is incredibly small. Knowledge [...] of the roles of institutions is incredibly low, the trust of citizens in them is incredibly low, readiness of citizens to get engaged in some sort of social activity that would bring benefits to them and their local communities is incredibly low. Interest in politics is falling down [...]”

(Representative of national NGO, 2014).

When it comes to building the capacities of public and state institutions, the effectiveness of these NGO activities largely depend on the ability of NGOs to create effective partnerships with these institutions or, more likely, a long-lasting personal relationship with a person within the institution. One usual strategy is to:

“Establish a good cooperation with people from the system and they [will] advocat[e] for our ideas. We propose and then they put it in the public as someone who has larger influence [...]”

(Head of local NGO in southern Serbia, 2014).

This is a rationale for the non-confrontational approach that is often taken towards government institutions. It comes from the perception of power relations and the imperative of working with state institutions to achieve certain outcomes. This strategy towards the independent regulatory bodies (CIPI, SAI etc.) is motivated by their apparent weakness and subordination to the executive branch and is referred to as the “critical friend approach”.

“When it comes to independent institutions, we had numerous objections about their work [...] but we were aware they were weak and under pressure from the executive, that they are faced with technical,

19 This seems to be a reflection of a nature of NGOs as a form of social organization that incarnates the ideal neoliberal subject: modern and democratic-oriented active citizen (Vetta, 2012: 186).

financial and problems related to staffing, that they are weak and vulnerable but that they could be our allies [...] we didn't confront them directly [...] but we tried to work with them in order to achieve some results, to influence changes in their work."

(Head of local NGO in southern Serbia, 2014).

To summarize, capacity building initiatives are targeting *individual citizens* and not *social groups*. It is focused on increasing their awareness and knowledge of various matters related to SA, such as government responsibilities, cases of misconduct, and options that citizens have to tackle government accountability. However, I have not identified cases of capacity building activities that aim at creating cross-groups alliances. The "critical friend" approach is a natural addendum to this "soft" method of fostering SA. It is also a testament to the strength of government and weakness of civil society that will be elaborated in the subsequent chapters.

When it comes to institutions, the limits and the outreach of capacity building programs are put by the government itself. Independent bodies are in particular focus here, while judiciary seems to be far less interesting. The improvements in the work and capacities of these institutions are technical and not substantive, that is, they don't relate to their position vis-à-vis the executive.

3.5. Civic participation

During the research I have identified at least two strands of civic participation activities: (1) *facilitating*, i.e. enabling participation in decision-making processes through various public forums, and (2) *transmitting*, i.e. using NGOs as a channel for articulating social interests and proposing policy and legislative measures. A typical set of facilitating activities is so-called participatory budgeting, whereby citizens express their opinions about priorities for the upcoming budget planning at the local or national level. These activities strongly emphasize the procedural aspects of policy making and participation rather than community mobilization or creating social alliances or movements.²⁰ On the other hand, there are some divergent and skeptical views with regards to effectiveness of this procedural approach to civic participation.

"The only time when civic initiatives dealing with e.g. protection of forests and parks have effect is when they go out of the limits of the procedures. So, when there is a procedure envisaging that citizens participate in making of the plans of regulation of urban development projects, the only time when citizens can influence decisions that concerns the community they live in is when they say f*** this, we will go to mobilize our neighborhood, hit through media, dig documentation to reach the solution on our own."

(Member of Belgrade-based NGO, 2014).

20 Respondents often emphasize the need to create procedures that would put the burden of participation not only on citizens and NGOs so that they organize in the fields of their interests, but also on the government, that should also put effort to motivate and involve citizens in budget planning processes.

There is widespread agreement about the weaknesses of civil society to influence policy making. It emerges from an “idealized concept of Putnam’s civil society” (as referenced in an interview) that is composed of strong associations with numerous memberships and the legitimacy that derives from wide membership base. The inability of Serbian NGOs to move beyond middle class entrenchment and donor dependence also contributes to this perceived weakness.²¹

“Structurally, NGOs cannot be agents of change because they depend on donor money with specific agenda [...] you start working with forced migration, but money comes from the Swedish Embassy for telling Roma people not to go to Europe. And then you transform from someone who is dealing with the wellbeing of the most vulnerable into someone who is telling them not to go, partly because of the money that is on the table, partly because of the constant pressure to get money for all the employees [...] Or take a look how many organizations will do something that is not their project activity [...] That is the best test of how distorted this all is.”

(Member of Belgrade based NGO, 2014).

NGOs are also putting forward legislative changes to secure their general objectives like transparency and accountability, as well as specific goals related to areas such as the environmental, urban planning, and local and regional development. These activities are carried out with only marginal references to constituencies and the issue of the democratic legitimacy of NGOs and the policy solutions they advocate for remains open.

The research indicates that the activities aiming at increasing participation in decision making analyzed here are very structured and procedural and require professional staff with skills in the field of public policy rather than in political and social mobilization. This approach is welcomed and motivated by the government itself. However, this has a series of limitations, the most notable one being that there are only a handful of NGOs in each field that can effectively take part in this kind of participatory policy making. Only occasionally have I found a link between the process of participation in public policy making and the membership base, i.e. motivation of members to take part in policy making, effective analysis of their attitudes and interests etc. This seems to indicate that participation is sometimes an empty ritual that aims at legitimizing the decision-making process more than empowering non-dominant groups.

3.6. Enforcing legal accountability

Enforcing legal accountability, that is, raising official complaints or lawsuits against government officials, is not a common strategy employed by civil society actors, but it is still a significant one due to its ability to activate existing accountability mechanisms. For example, sending official complaints

21 According to the results of the research conducted by the Institute for Sociology of the Faculty of Philosophy in Belgrade, 48% of respondents from higher social strata are active members of civil society organizations; this figure is up to 37% among middle class respondents and only 15% among workers (original data set, cf. also Lazić, 2005).

and requests to CIPI seem to be a part of the daily operation of typical Serbian NGOs, and this institution is unanimously regarded as one of the cornerstones of government accountability in Serbia. However, other independent institutions (particularly SAI) engender more mixed reactions. They are subject of furious criticism but at the same time receive intensive capacity building and political support from the NGO community.

“We think independent bodies do not do their work [...] For example, State Audit Institution found that in 2011 Bajatović in Srbijagas²² spent 5 billion dinars against the procedures i.e. without public procurement. State Audit Institution published this on their website and did not forward it to public prosecutors’ office and they did not file a lawsuit [...] We have raised criminal charges against Dušan Bajatović [...] then requested information and they said that the investigation is ongoing.”

(Leader of a local NGO from northern Serbia, 2014).

There seems to be a consensus that independent institutions are important due to their potential to shift the balance in the present structure of political power. Heaving a weak parliament that is strongly influenced by the government and ruling parties only contributes to the high expectations regarding independent bodies (Orlović *ur.*, 2013; Pavlović i Orlović, *ur.* 2007; Vuković, 2013).

In addition to independent bodies, the judiciary is unanimously perceived as weak, lacking independence and under strong political tutelage. For example, initiating court cases, though important, is not a frequent activity of NGOs precisely due to the widely-shared perception of the judiciary as ineffective and politically beholden.

“The judiciary is under much larger pressure and it has no means to defend itself. The only defense of independent judiciary is public and consciousness of the citizens [...] I do not think they are guilty. The system is set up in such a way to make judiciary incredibly dependent and controlled and this is a tragedy because there is absolutely nothing between the power of the state and the citizens. This is going to be hardest to change because responsibility for any kind of misconduct in our society [...] at the end is defined in the decisions of the courts and all interest groups in our country know that and will fight to make judiciary not independent not even in the Constitution.”

(Head of NGO dealing with investigative journalism, 2014)

The field of legal accountability reveals all the weaknesses of rule of law and the SA activism of NGOs. Full accountability depends on the ability of the judiciary and independent oversight bodies to impose sanctions for misconduct by government officials. Unsurprisingly, the research indicates that Serbian NGOs are more likely to obtain soft than hard accountability (Fox, 2007b), precisely because the second one requires a more committed response from the

22 Dušan Bajatović, a high ranking member of the ruling Social Party of Serbia and head of state-owned Srbijagas, the main supplier of natural gas in Serbia.

state institutions. Less responsive state institutions in this crucial field of legal accountability also indicate an unfortunate image of Serbian civil society and its inability to force changes in government work. A resilient government seems to be a mirror image of ineffective civil society.

3.7. *Reliance on external factors*

As we have seen, there is a lack of interest-based political or civic mobilization, coupled with a widely shared perception of civil society as weak and fragmented, and a politically disengaged citizenry, due to the, as NGO representatives understand it, long term manipulation by political elites, lack of knowledge among citizens about the role of the state and civil society, and the bad socio-economic situation in which the majority of the Serbian population is living. Interviews indicate at least three perceptions of gaps within Serbian civil society: (1) a lack of a wide membership; (2) a lack of cooperation and coordination among actors in civil society; and (3) a lack of knowledge among citizens about the roles of the state, civil society, and citizens themselves. For these reasons, neither citizens nor civil society are perceived as solid societal bases for government accountability and the rule of law.²³

In absence of genuine societal roots, civil society actors are on a quest for external drivers. They are relying on external political factors and interests, which primarily means relying on the modernization momentum of the EU integrations.²⁴ The role of the EU is perceived in terms of the political conditionality that it places in front of the Serbian government and the support (political and financial) it dispenses to NGOs. The EU is not only a driving force of accountability but also a source of political legitimacy for NGOs and they derive their strength from the EU and the process of EU integration.

“The EU is a major agent in setting the agendas of NGOs but it also brings standards that aim at reducing corruption. It is a defeating fact from the standing point of civil society that, in comparison to EU, there are no differences. All the changes proposed by the civil sector are actually changes that EU is advocating for, through EU sector or other channels.”

(Head of NGO, 2014)

While society is perceived as weak, political elites are perceived as powerful and arbitrary, though still constrained by the electorate and the EU. It is up to political elites – and seemingly only to the political elites – to decide if a change is to take place or not. There is also a hierarchy of constraints on the elites, so

23 Interestingly enough, none of the respondents referred to economy (firms and entrepreneurs) as a source of demand for accountability and rule of law.

24 As stated by one of our respondents *“Government is trying to look better than it is in front of the citizens and even better in front of European partners. Many things are being done from the sense of duty or pressure from EU and that is why I think EU accession radically changes things in favor of citizens and makes government act in proper and disciplined way”* (Head of human rights NGO, 2014).

that EU is sometimes emphasized more than citizens themselves. As I have cited already, NGO activists perceive the government as trying to look good in the eyes of the voters but even better in the eyes of the EU:

“The problem is a lack of continuity. A set of praxis is established, but there is no guarantee that it will be implemented in four years, under the condition, of course, that the same parties are in power in four years. It depends on the receptiveness of the authorities to external pressures. EU plays a major role here [...] if EU pushes for certain agenda, there are more chances that it will be realized.”

(Head of NGO dealing with investigative journalism, 2014).

Even when practices, procedures or institutions are established, their existence is not indisputable. This was the case with independent bodies that were occasionally threatened by the government, which caused, as our respondents testify, a successful political mobilization of NGO scene and the EU. The establishment and operation of independent bodies has been emphasized as one of the major changes in power structures (related to accountability and the rule of law). But their existence and work seem to be heavily dependent on NGO activism backed by EU involvement. Therefore, the EU, as an external driver of changes, seems to play a major role in the mobilization and legitimization of day-to-day activities of Serbian civil initiatives.

4. Critical analysis of social accountability achievements

Apart from LFA and CIPI, interviewed representatives of NGOs were not able to identify a single major achievement that would be shifting the balance of power away from the state. LFA and CIPI are emphasized as the institutional achievements and victory of civil society in a quest for accountable government. The importance of CIPI and LFA stems from the structure of NGO activities: in their work they heavily rely on accessing information on the work of the government and making it available to the public (e.g. budget expenditures, public contracts etc.). Consequently, there was an increase in the amount of complaints sent to CIPI in recent years (Poverenik, 2015). However, apart from minor behavioral changes on the part of government officials, my respondents were not able to identify any additional structural change. In my opinion, this is a direct consequence of the nature of NGO activities. The following dimensions are particularly important:

- 1. Policy-not-politics approach.** SA discourse and activities in Serbia are predominantly technical, a policy-focused and not political discourse. This is a reflection of the technocratic and policy-oriented approach that is based on knowledge of procedures, rulebooks, laws and public policies. It is also an approach, as a famous phrase states, which considers social issues as problems and policy solutions as technical remedies

based on scientific knowledge. The logical consequence is a lack of politics, i.e. lack of political discourse, mobilization and struggle. Street activities (including public protests) are rare, as well as activities that directly mobilize citizens based on their clearly-identifiable interests. The majority of recorded mobilization activities take place through the Internet – information is gathered and presented in the virtual world with the expectation that it would feed activities of interest-based groups or citizens generally interested in government accountability and the rule of law. The network of actors is composed of NGOs, and project activities are prevailing; long-term program activities are rare. NGOs are financed by the state and donors, and in this round of interviews I did not identify a single organization that is interest or membership based, nor did I find any indication that such organizations play prominent role in this field.

2. **Critical friend approach.** The other side of this “policy-not-politics” coin is the so-called critical friend approach, characterized by an effort not to alienate state officials and government bodies, to nurture relationships, and avoid both naming and blaming and taking harsh civic actions. Effectiveness of NGO actions stems from their ability to mobilize citizens for political actions that usually aim at forcing government to respond, that is, to change existing practices. NGOs I analyzed are not able to achieve the wide political mobilizations of citizens, and therefore their effectiveness depends on changing the government work, laws, procedures etc. And this requires joint efforts and “critical friend approach”. In this sense, NGO strategies can also be seen as an accommodation to existing power relations between the state, political elites, donors and society. The Serbian government, too, is promoting “the critical friend approach” and encouraging modes of cooperation with civil society organizations that preference technical cooperation as opposed to political negotiations.²⁵
3. **Targeting individual citizens.** It is clear that NGOs are targeting *individual citizens* more often than *social groups*. In this discourse, individual citizens are rights bearers, comparable to individual consumers, and advocates of accountability are individuals and small groups tied by strong bonds of shared values (and not interests). There is a missionary feel in this idealized individualistic struggle of the lone riders of SA and their lone civic targets. The individualization of accountability strategies is followed by a specific understanding of the factors for success. Here, respondents typically speak about individual features of advocates of accountability: e.g. sincerity, consistency, and persistence.

25 Interviews with representatives of Government Office for Cooperation with Civil Society reveal a tension between the two concepts of civil society: “small groups of enthusiastic citizens at the local level” and “organizations that have expertise” that are “like a small government”. The government itself “ought to set criteria and expertise that it needs for cooperation” (Head of Government Office for Cooperation with Civil Society, 2014).

5. Conclusion

Throughout this research I tried to trace efforts of Serbian NGOs to induce major *civic mobilization* and to create new persistent and effective *institutional mechanisms* that sustain government accountability. Data I collected doesn't indicate they were successful and neither does a review of available literature. Apart from the introduction of LFA and CIPI, I was not able to identify major institutional changes that would serve the same purpose. Other researches point out to the weakening of institutional sectors such as judiciary, independent regulatory bodies and media. This all suggest weak potential of NGOs to shift balance of social and political power and thus contribute to strengthening government accountability and rule of law. Finally, some of the conclusions drawn here are relevant for a wider empirical and theoretical work, as there are remarkable similarities in radically diverse social contexts (Babović and Vuković, 2014). I believe these compatible research findings supports studies (e.g. Encarnación, 2011; Harriss, 2001; Roy, 2008) that question the effectiveness of civil society engagement in the quest for government accountability and rule of law as well as the now dominating paradigm of civil society.

References

- Antonić, Slobodan 2006. *Elita, građanstvo i slaba država*, Beograd: Službeni glasnik
- Babović, Marija 2002. Akteri blokade društvenih promena i akteri transformacije, u: Bolčić, Silvano i Anđelka Milić (ur.), *Srbija krajem milenijuma: razaranje društva, promene i svakodnevni život*, Beograd: Institut za sociološka istraživanja Filozofskog fakulteta u Beogradu
- Babović, Marija and Danilo Vuković 2014. *Social Accountability in Cambodia*, LSE Justice and Security Research Programme Paper 19, ISSN 2051-0926
- Baldwin, Peter 1990. *The Politics of Social Solidarity. Class Bases of the European Welfare State 1875-1975*. Cambridge: Cambridge University Press
- Bovens, Mark 2010. Two Concepts of Accountability: Accountability as a Virtue and as a Mechanism", *West European Politics*, vol. 33, no. 5: 946-967
- Cvejić, Slobodan 2006. *Korak u mestu. Društvena pokretljivost u Srbiji u procesu post-socijalističke transformacije*, Beograd: Institut za sociološka istraživanja Filozofskog fakulteta u Beogradu
- Deacon, Bob 2007. *Global Social Policy and Governance*. London: SAGE
- Edwards, Michael 2004. *Civil Society*. London: Polity
- Ehrenberg, John 1999. *Civil Society: The Critical History of an Idea*, New York: New York University Press
- EK 2014. *Republika Srbija 2014. Izveštaj o napretku*, Brisel: Evropska Komisija
- Encarnación, Omar 2011. *The Myth of Civil Society: Social Capital and Democratic Consolidation in Spain and Brazil*. London: Palgrave MacMillan

- Fisher, William F. 1997. Doing Good? The Politics and Antipolitics of NGO Practices. *Annual Review of Anthropology*, vol. 26:439–464
- Fox, Jonathan 2007. *Accountability Politics: Power and Voice in Rural Mexico*. Oxford: Oxford University Press
- Fox, Jonathan 2007b. The Uncertain Relationship between Transparency and Accountability. *Development in Practice*, vol. 17, no. 4: 663 – 671
- Golubović, Dragan i Dubravka Velat 2009. *Učešće građana i građanki u procesu izrade i primene zakona i drugih instrumenata javnih politika*, Beograd: Građanske inicijative
- Harris, John 2001. *Depoliticizing Development. The World Bank and Social Capital*. New Delhi: LeftWord
- Joshi, Anuradha and Peter P. Houtzager 2012. Widgets or Watchdogs? Conceptual Explorations in SA. *Public Management Review*, vol. 14, no. 2: 145–162
- Kamat, Sangeeta 2004. The Privatization of Public Interests: Theorizing NGO Discourse in a Neoliberal Era. *Review of International Political Economy*, vol. 11, no. 1: 155–176
- Kin, Džon 2003. *Civilno društvo*. Beograd: Filip Višnjić
- Lazić, Mladen 2005. *Promene i otpori*, Beograd: Filip Višnjić
- Lewis, David 2004. On the Difficulty of Studying Civil Society: Reflections on NGOs, State and Democracy in Bangladesh. *Contributions to Indian Sociology*, vol. 38, no. 3, 299–322
- Maldonado, Nicole 2010. “The World Bank’s evolving concept of good governance and its impact on human rights”, paper presented at the Doctoral workshop on development and international organizations, Stockholm, Sweden, May 29–30, 2010
- Malena, Carmen, Reiner Forster and Jenmejaj Singh 2004. SA: An Introduction to the Concept and Emerging Practice. *Social Development Papers, Participation and Civic Engagement*. Paper No. 76. Washington, DC: The World Bank
- Mandel, Rooth 2002. Seeding Civil Society, in: Hann, Chris M. (ed.). *Postsocialism: Ideal, Ideologies and Practices in Eurasia*. London: Routledge
- Marković, Ratko 2010. Sudstvo – Ahilova peta države Srbije, *Pečat*, 28.4.2010. godine
- Marković, Ratko 2011. Isprepadani Ustavni sud i osioni VSS, *Pečat*, 28.4.2011. godine
- Marinković, Tanasije 2009. „O ustavnosti opšteg reizbora sudija, *Anali Pravnog fakulteta u Beogradu*, Vol. LVII, No 1, pp.283–291
- McGee, Rosemary and John Gaventia 2010. *Review of Impact and Effectiveness of Transparency and Accountability Initiatives: Synthesis Report*. Institute of Development Studies
- Mendelski, Martin 2013. They Have Failed Again! Donor-driven Promotion of the Rule of Law in Serbia, *Südosteuropa* 61, pp. 79–113
- Mikuš, Marek 2013. *What Reform? Civil Societies, State and Social Antagonism in European Serbia*. Doctoral thesis, London School of Economics and Political Science

- Milenković, Dejan 2010. Nastanak, razvoj i problemi kontrolnih tela u Srbiji posle 5. oktobra u: Grupa autora, Razvoj demokratskih ustanova u Srbiji – deset godina posle, Beograd: Fondacija Heinrich Böll
- Molnar, Aleksandar 2003. Civilno društvo, u: Vukadinović, Đorđe i Predrag Krstić (ur.), *Kritički pojmovnik civilnog društva, knj. 1*, Beograd: Grupa 484
- Mosse, David and David Lewis (eds.) 2005. *The Aid Effect: Giving and Governing in International Development*. London: Pluto Press
- Nikolić, Goran 2013. Korupcija u Srbiji: stanje, zablude, komparativni uvid i perspective, *Hereticus* 3–4/2013, pp.11–24
- O'Donnell, Guillermo 2004. The Quality of Democracy: Why the Rule of Law Matters. *Journal of Democracy*, vol. 15, no. 4: 33–47
- Orlović, Slaviša 2010. Nezavisna tela – četvrta grana vlasti ili kontrolor vlasti, u: Pavlović, Dušan i Zoran Stojilković (ur.), *Savremena država, struktura i socijalne funkcije*, Beograd: Konrad Adenauer Stiftung i Fakultet političkih nauka, Beograd
- Orlović, Slaviša (ur.) 2013. *Izazovi parlamentarizma*, Beograd: FES i FPN
- Orlović, Slobodan 2010. Stalnost sudijske funkcije vs. Opšti reizbor sudija u Republici Srbiji, *Anali Pravnog fakulteta u Beogradu*, Vol. LVIII, No 2, str. 163–196
- Pavlović, Marko 2012. Reforma pravosuđa sa stanovišta afere „Indeks”, *Hereticus* 1–2/2012, pp.75–87
- Pavlović, Marko 2013. Krivičnoprocesna korupcija, *Hereticus* 3–4/2013, pp.39–57
- Pavlović, Vukašin 1995. *Potisnuto civilno društvo*, Beograd: Eko centar
- Pavlović, Vukašin i Slaviša Orlović (ur.) 2007. *Dileme i izazovi parlamentarizma*, Beograd: Fakultet političkih nauka i Fondacija „Konrad Adenauer“
- Peruzzotti, Enrique and Catalina Smulovitz 2006. Social Accountability: An Introduction, in: Enrique Peruzzotti and Catalina Smulovitz (eds.). *Enforcing the Rule of Law: Social Accountability in the New Latin American Democracies*. Pittsburgh: University of Pittsburgh Press
- Poverenik 2015. *Izveštaj o sprovođenju zakona o slobodnom pristupu informacijama od javnog značaja i zakona o zaštiti podataka o ličnosti za 2014. godinu*, Beograd: Poverenik za informacije od javnog značaja i zaštitu podataka o ličnosti
- Pzeworski, Adam 2003. Why Do Political Parties Obey Results of Elections? in: Maravall, Jose Maria and Adam Przeworski (eds.). *Democracy and the Rule of Law*. Cambridge: Cambridge University Press
- Rakić-Vodinelić, Vesna, Ana Knežević Bojović, Mario Reljanović 2012. *Reforma pravosuđa u Srbiji 2008–2012*, Beograd: Pravni fakultet Univerziteta Union u Beogradu i Javno preduzeće Službeni glasnik
- Reljanović, Mario, Ana Knežević Bojović 2014. Judicial Reform in Serbia and Negotiating Chapter 23 – A Critical Outlook, *Pravni zapisi*, Vol. 4, No 1, pp. 241–253
- Rodan, Garry and Caroline Hughes 2012. Ideological Coalitions and the International Promotion of Social Accountability: The Philippines and Cambodia Compared. *International Studies Quarterly*, vol. 56: 367–380

- Roy, Indrajit 2008. Civil Society and Good Governance: (Re-)Conceptualizing the Interface. *World Development*, vol. 36, no. 4: 677–705
- Sampson, Steven 2004. Too Much Civil Society? Donor-driven NGOs in the Balkans, in: Dhundale, Lis and Erik André Andersen (eds.). *Revisiting the Role of Civil Society in the Promotion of Human Rights*. Copenhagen: Danish Institute for Human Rights
- Savet 2011. *Izveštaj o pritiscima i kontroli medija u Srbiji*, Beograd: Savet za borbu protiv korupcije
- SBPK 2011. *Izveštaj o pritiscima i kontroli medija u Srbiji*, Vlada Republike Srbije, Savet za borbu protiv korupcije, available at <http://www.antikorupcija-savet.gov.rs>
- Scheuerman, William E. (ed.) 1996. *The Rule of Law under Siege: Selected Essays of Franz L. Neumann and Otto Kirchheimer*. Berkeley: University of California Press
- Springer, Simon 2010. *Cambodia's Neoliberal Order: Violence, Authoritarianism, and the Contestation of Public Space*, London: Routledge
- Stojiljković, Zoran 2013. Politička korupcija i slaba država, *Filozofija i društvo*, Vol XXIV, No. 1, pp. 135–159
- Tamanaha, Brian Z. 2004. *On the Rule of Law: History, Politics, Theory*. Cambridge: Cambridge University Press
- Tamanaha, Brian Z. 2009. A Concise Guide to the Rule of Law, in: Palombella, Gianluigi and Neil Walker (eds.). *Relocating the Rule of Law*, Oxford and Portland, OR: Hart Publishing
- Taylor, Charles 1990. Modes of Civil Society. *Public Culture*, vol. 3, no.1: 95–118
- UNDP 2013. *Reflections on Social Accountability: Catalyzing democratic governance to accelerate progress towards the Millennium Development Goals*, New York: UNDP
- Unger, Roberto Mangabeira 1976. *Law in Modern Societies. Towards a Criticism of Social Theory*/ New York: The Free Press
- van Duyne, Petrus C. 2013. Serbian Anti-Corruption Policy. Welcome to Potemkin's Village?“, *Filozofija i društvo*, Vol XXIV, No. 1, pp. 81–118
- Vetta, Theodora 2012. NGOs and the State: Clash or Class? Circulating Elites of Good Governance” in Serbia, in: Boris Petric (ed.), *Democracy at Large: NGOs, Political Foundations, Think Tanks and International Organizations*, Palgrave Macmillan, pp. 169–190
- Vlada RS 2010. Uredba o Kancelariji za saradnju sa civilnim društvom, *Službeni glasnik* 26/2010
- Vlada RS 2011. *Strateški okvir Kancelarije za saradnju sa civilnim društvom za period 2011–2014*, available at <http://civilnodrustvo.gov.rs/assets/uploads/2012/02/Streteski-okvir-lat1.doc> , assessed on 10.10.2014
- Vuković, Danilo 2011. Društvene osnove pravne države: Slučaj Srbije, *Sociološki pregled*, vol. 45, no. 3: 421–451

- Vuković, Danilo 2013. *Kako nastaju zakoni u Srbiji: uloga društvenih interesa i institucija u zakonodavnom procesu*, Beograd, Secons i Institut za sociološka istraživanja Filozofskog fakulteta Univerziteta u Beogradu
- Vuković, Danilo 2015. "Capturing Resources: Middle Classes and Social Reforms in Serbia", paper presented at the *Work in Progress Conference* organized by the Serbian Association of Legal and Social Philosophy in Novi Sad, Serbia, June, 12th 2015
- Vuković, Danilo and Slobodan Cvejić 2013. "Legal Culture in Contemporary Serbia: Structural Analysis of Attitudes Towards the Rule of Law", *Annals of the Faculty of Law in Belgrade*, Vol. 62, No. 3, pp.52–73.
- Weingast, Barry, R. 1997. The Political Foundations of Democracy and the Rule of Law. *American Political Science Review*, vol. 91, no. 2: 245–263
- World Bank 1994. *Governance: The World Bank's Experience*, Washington D.C.: The World Bank
- World Bank 2002. *World Development Report: Building Institutions for Markets*, Washington D.C.: The World Bank
- World Bank 2004. *From Shouting to Counting: A New Frontier in Social Development*. Washington, DC: World Bank