# All That's Constant Is Change: A Brief Political History Of Police Reform In Serbia

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**Abstract**

*Policing in Yugoslavia and in Serbia historically exhibits a greater affinity towards the maintenance of a particular socio-political order than it has the rule of law. This article argues against common held international contentions that the police in Serbia is resistant to reform. By reviewing the police force's history, a tendency towards constant reform reveals itself. Yet, despite the constant change, policing is persistently politically dependent and in rivalry with the military. This history of policing in the Balkans was evidently not taken into account by international organizations frustrated by the unwillingness of the Serb police to wholly adapt the liberal formula on offer. The pace and direction of police reform in this context appears closely tied to wider structural reforms of the socio-political order.*

***Key words:*** *Yugoslavia, Serbia, Police reform, Organization for Security and Cooperation in Europe, socio-political transition.*

## Introduction

Contrary to widespread perceptions of a recalcitrant and monolithic institution, policing in Serbia has been in a constant state of reform from its earliest beginnings in 1804. In fact, the institution has proven so obedient to the vicissitudes of socio-political change that it provides an accurate barometer of political history in Serbia. Compelled to be more concerned with the maintenance of order rather than the enforcement of law, uniformed policing has never

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been insulated from the socio-political and economic context in which it has operated. While there is little evidence of a struggle to gain autonomy, a brief look at its relationship to the various authoritarian regimes that depended on the police helps us understand why policing in Serbia developed along a different trajectory from policing in other European states. It enables us to view more clearly the reasons why the police decided not to continue defending the regime from the popular will on 5th October 2000. Moreover, by tracing a political history of policing in Serbia we are in a better position to map out the future prospects for the so-called democratisation of the force.

## Policing Constitutional Monarchy

From the beginning of policing in its modern sense the police in Serbia have exhibited both an affinity towards central authoritarian rulers and a rivalry with the military. Both traits might be traced to the earliest days of policing in the nineteenth century in their role to protect the constitutional monarchy from demands for parliamentary reform emanating from emergent political parties. It is noteworthy that until 1875 all newspapers were forced to present a proof-copy to the police an hour before publication.[1] In fact so fragile was the Serbian kingdom that the nascent state was arguably not only dependent on its security forces but was subservient to it.[2] Interestingly the earliest calls for police reform emanated from the socialist Radical Party, which at the time, according to Jelavich 'was particularly interested in curbing the influence of the police in elections, a prerequisite for their own victory'.[3]

Reforms instituted by King Petar Karadjordjević however took a different route after the regicide of Obrenović in 1903. Karadjordjević augmented police numbers by elevating night watchmen to the status of gendarmie, aligning them with a powerful military nexus. Cox has pointed out that it is indicative of the power wielded by this military police that no steps were taken to arrest the conspirators to Obrenović's murder.[4] Subsisting under the military umbrella might have afforded the gendarmerie a great deal of power and prestige, but at the same time this lack of autonomy hindered the development of policing in a manner that is not evident in western European states. Even as late as

[1] G. Stokes, *Politics as Development: the Emergence of Political Parties in Nineteenth century Serbia* (London Duke University Press, 1990), 206.

[2] J. Allcock, *Explaining Yugoslavia* (London: Hurst and Co., 2000), 386.

[3] C. Jelavich and B. Jelavich, *The Establishment of the Balkan National States, 1804-1920* (Seattle: University of Washington Press, 1977), 185.

[4] J. Cox, *The History of Serbia* (London: Greenwood Press, 2002), 56.

1918, when the Ministry of Interior was first formed, policing in Serbia was still under the command of the army.

The formation of the Ministry of the Interior was part of a series of reforms associated with the creation of the Royal Yugoslavia and occurred during a liberalising period of Karadjordjević's rule. Perhaps the first sign of a break with the military might be traced to February 1921, when the first police training school was opened in Belgrade. Unfortunately for the police this year also saw the death of King Petar and the throne pass to the more authoritarian King Aleksander. It was Aleksander who formally created a police force independent of the military in 1929 but who also saw the potential role of the police to secure order in his increasingly fractious kingdom following riots that occurred after the assassination of Stjepan Radić in 1928. Aleksander viewed the police as pivotal to the maintenance of his regime and allocated it a central role when he declared his dictatorship in the same year. His first act was to rewrite the Law on the Protection of the State. The sweeping powers this legislation granted to the police were used fully and viciously and, according to Horvat, the kingdom became a police state where 'legal authority was regularly pushed aside while in its place came the secret police, the military police, the court police, the police of influential individuals'.[5] Atrocities that occurred in Hercegovina and Macedonia by the Serb-dominated force together with police repression being instituted in Croatia, exacerbated inter-ethnic tensions in the kingdom and led to the disintegration of the support for south Slav unity.[6] Ironically enough, while political policing led to the disintegration of the first Yugoslavia, it would nevertheless become the foundation upon which a communist dictatorship would resurrect the next version of Yugoslavia.

### Policing Communism

It was tasked to Slobodan Penezić Krcun, as Minister of Interior in Tito's new Yugolsavia, to oversee the establishment of the 'peoples militia' in 1946. Wearing bottle green jackets and khaki trousers, the force was indistinguishable from the Partisan army. It conformed to Tito's desire for a reliable and obedient force capable of maintaining communist order by immersing itself amongst the populace. The construction of intelligence net-

[5] J. Horvat, *Hrvatski panoptikum* (Zagreb, 1965), 223.

[6] M. Glenny, *The Balkans 1804-1999: nationalism, war and the great powers* (London: Granta Books, 1999), 434.

works was therefore a priority function of the force up until 1953, when Krcun was replaced by Vojin Lukić. Lukić headed the police during a period of judicial reform following the intense anti-cominformist campaign that, even according to Aleksander Rankovič, the archly powerful Federal Secretary of Internal Affairs, had compromised the judicial system 'converting ordinary crime into political criminal offences in a indiscriminate manner'.[7] Reforms included a change of uniform to the more familiar blue associated with policing and the introduction of the concept of 'social self-protection'. Accordingly, 'peoples councils' (*mesna zajednica*) were established in every borough to implement social self-protection in 1953 that would become important to police officers as a site of liaison with members of their communities.

Nonetheless, while social self-protection might have shown some validity in Serbia, the predominance of Serb police officers in other republics in Yugoslavia tended to undermine the concept. In 1971 a Croat newspaper, *Hrvatski tjednik* was able to point out that while Serbs comprised merely 15% of the city's population, Zagreb's police force comprised 56.5% Serbs and 40.8% Croats. [8]

More reforms were implemented in the 1960's when Milan Miškovič, a Croat not under Rankovič's influence, was appointed Federal Secretary for Internal Affairs. His appointment prefigured Ranković's purge in 1966 when the extent of police corruption and police involvement in smuggling came to light. Ranković, a centraliser and a conservative, is generally blamed for the disproportionate number of Serbs and the appointment of a Croat might be understood to be an attempt to balance the ethnic scales. Misković's brother was head of military intelligence so his appointment ultimately enabled the military to gain more influence over policing in Yugoslavia. Indicatively, in 1974 Colonel-General Frankoj Herjević, a Croat from the Yugoslav army, was appointed Federal Minister of Internal Affairs; a position he would hold until 1984.

Operational reforms in the 1960's saw the 'people's militia' become the 'militia' in 1966 and a new system of non-military ranking introduced in 1967. A new uniform was issued that was uncannily close to that worn by the British 'bobby'. These changes however did not detract from the use of the police by the government to repress dissent emanating from nationalists in Croatia. In the early 1970's Tito had begun to confront what he

[7] M. Milivojević, "The Role of Yugoslav Intelligence and Security Community" in *Yugoslavia in Transition,* eds. J. Allcock, J. Horten and M. Milivojević. (Oxford: Berg Publishers, 1992).

[8] Glenny, 591.

termed a dangerously liberal influence in Yugoslavia and hastened to 'reunite, recentralise and rediscipline' the party during one of his more authoritarian periods of power. The use of armed police power as an adhesive to be applied at will to remedy the cracks spreading throughout an increasingly brittle Yugoslavia could however only be a temporary measure.

The death of Tito, economic decline and a resurgence of nationalist politics marked the beginning of a new reform period for the police in a tense and increasingly fractious Yugoslavia. The deaths of several men in Titograd (now Podgorica) in October 1988 saw the first time that the police had killed protesting workers. In 1989 police were involved in clashes in Kosovo where twenty-two protestors were killed. This prompted Albanian members of the Ministry to resign *en masse*, only to be replaced by hastily recruited Serb officers of questionable abilities. Meanwhile in Serbia, the police was being vigorously reformed to serve the objectives of Milošević's ruling SPS. Rather convincing evidence exists that during protests in Belgrade in 1991, the police were deployed in a manner that would force them into conflict with protestors unhappy with Milošević's policies.[9] In response to the threat to his regime, Milošević announced an increase in the size of the police and called up reserve police forces.[10] A new Minister of Interior, Zoran Sokolović, was hired to oversee this period of reform. Under Sokolović, the use of foot patrols was abandoned and the crime prevention aspect of policing was de-prioritised. Social self-protection was made obsolete. Policing became a distinctly more repressive affair as its budget simultaneously rose from the unusually high 15.13% of GDP to 27.0%. [11] In 1991 a Law on Internal Affairs facilitated the centralisation of the police and local government was relieved of responsibilities it held over law an order. A law on ranks was passed in 1995, which conferred military ranks on eighteen administrative levels of the Ministry, making it more administratively more prestigious than the army. Furthermore, officers now routinely wore dark camouflage fatigues and helmets, having received a much more martial education in the Police Academy and at the Police College. It was estimated by British intelligence that up to 5000 of these new recruits were deployed to Kosovo by 1998, where emergency legislation had conferred enormous power on the police to quell ethnic-Albanian disturbances.



[9] *Vreme*, 7 November 2002.

[10] T. Judah, *The Serbs: history, myth and the destruction of Yugoslavia* (New Haven: Yale University Press, 1997), 175.

[11] L. Sell, *Slobodan Milošević and the Destruction of Yugoslavia* (London: Duke University Press, 2002), 187.

Economic sanctions (compounded by the government's unwillingness to cut expenditure), a banking collapse in February 1993, and the highest rate of hyperinflation ever recorded had ruined the economy and created a massive grey economy. Utterly dependent on the loyalty of its security forces in this environment, the government turned a blind eye as its police force moved into this grey economy. In order to counter the legitimacy deficit being experienced by these conditions seemingly contradictory but ultimately superficial reforms were instituted in the mid 1990's. Efforts in 1995 to improve the image of by providing officers with identification badges were augmented with policies to improve the organisation's relationship with the media. Under Vlajko Stojiljković, appointed Minister of Interior in 1997, foot patrols were re-introduced and patrol officers were instructed to take more cognizance of non-crime safety issues.[12] The effects of these measures were minimal, as evidenced by a poll undertaken at the time that found 33.7% of the population completely distrusted the police.[13] In short, Milosević had practically reversed the development of the police back towards the sort of gendarmerie that operated in the late nineteenth century. The thin blue line between the survival of his increasingly illegitimate regime and the demands of the Serbian public became ever more difficult to defend.

Milošević's attempts in July 2000 to push through constitutional reforms that would grant him virtually dictatorial authority over the FRY government concentrated the opposition movement. However, the ratification of Vojislav Kostunica's disputed victory in the August elections had only a minor impact on Milosević's rule when compared to the effects of the Kolubra miners strike, which began on 29th September 2000. Traditionally supportive of SPS rule, the miners strike proved to commentators such as Crampton that 'even the most favoured sons of Serbian socialism had forsaken Milošević'.[14] The strike sparked a contagion of protest that the police did nothing to prevent. Police barricades allowed strikers to march through to Belgrade where a crowd of around 500,000 protestors had gathered to call for Milošević's resignation. The Head of Secret Police, Rade Marković, later stated that police support for the regime had been declining since the September elections and that 'an awareness that Milošević had lost entered the heads of the police'.[15] And while formally the police were given orders to 'take extreme measures' against the protestors, an agreement between

[12] B. Simonović and M. Radovanović, "Crime Prevention in Yugoslavia" In *International Perspectives on Community Policing and Crime Prevention, eds.* Lab & Stevens (New York: Prentice-Hall, 1995).

[13] Z. Kešetović, "Police-public Relations in Function of Crime Prevention". Presented at *Policing in Central and Eastern Europe: deviance, violence and victimisation*. (Ljubljana, 12-14 September 2002).

[14] R. J. Crampton, *The Balkans Since the End of the Second World War* (London: Longman, 2002), 281.

Zoran Djindjić, one of the protest's leaders, and the charismatic 'Legija', Commander of the Ministry of Interior Special Operations Unit, guaranteed that the police would not intervene. It took until 5th October for the Kolubra strikers to reach Belgrade and it is a telling indicator of the centrality of force to Milošević's government that it fell within a week of losing the confidence of the security forces.

### Policing Democratic Transition

With a new socio-political order to maintain the Serb police was to be once again subjected to reforms – this time however change was being directed not only by the new government, but also by the international community, under the guise of the Organization for Security and Cooperation in Europe. Saturated by corruption to the point of extreme ineffectiveness, overly militarized, dangerously powerful and entirely unused to upholding the rule of law, it was generally understood that major structural reform was in store that would tame the Ministry of Interior. In March 2003 when Prime Minister Zoran Djindjić was assassinated the extent of the reform required became tragically visible. According to the International Crisis Group [16] the fault lay in the manner by which the parallel structures established by Milošević were left intact by Djindjić's government. The report identified a nexus of state security, paramilitary organizations, politicians and war criminals preventing reform of the Ministry. Despite the rhetoric of reform very little had altered in the years between October 2000 and March 2003. To be sure, the introduction of female police officers, the blue European style uniforms with name tags and use of clearly identifiable vehicles indicated some change had occurred. However, structurally the institution was administered virtually identical to the way it had always been.

'Operation Sabre', which was launched in the wake of Djindjić's murder, authorised the Serb police to revert to its more traditional repressive and militant model of policing. By some accounts the operation was successful: 40,000 illegally held weapons and two million ammunition shells were confiscated while the power and influence of the infamous organised crime gang of Zemun in Belgrade was eradicated. On the other hand 10,111 people were taken into custody and 3700 charges were brought against 3200 individuals. This extraordinary number of

[15] Sell, 346.

[16] International Crisis Group, *Balkans Report No. 145*, (Belgrade, 17 July 2003).

arrests gives credence to any suggestion that not all the arrests were related to the assassination. In fact only 45 people were charged with directly attributable assassination related crimes. Moreover, Amnesty International criticised the use of torture by the police. [17] It would seem evident that the police used their emergency powers to pursue matters not directly related to the state of emergency.

While the police routinely reverted to normal powers following the emergency, a report issued by the OSCE in 2004 testifies to the lack of structural reform in policing.[18] Operation Sabre bred a new confidence amongst police officers that had for years been subject to criticism. Issued with a similar level of authority, and with a corresponding licence to utilise their military training, the police proved itself as adept at upholding the new socio-economic order in Serbia as it had been upholding the old order.

The other remarkable trait visible in Serb policing is its predilection towards central authority and its suspicion of popular accountability structures. It would seem that although the police is willing to support the democratic order, there is little evidence to suggest that the government is anxious to make policing itself a democratic institution. For instance, attempts to establish an independent police inspectorate have foundered due to government interference. Additionally, an OSCE recommendation to lustrate compromised police officers was interpreted to facilitate a political re-shuffle of police management, allegedly to closer align the institution with the political objectives of the Minister of Interior, Dragan Jocić.

## Conclusion

Reform has been a constant feature of policing in Serbia. Reform is of course tightly linked to the politicised nature of policing in the region and to the tendency to denigrate the rule of law in favour of the whims of a ruling party. In times of stability order has been maintained by utilising the police to establish networks of informants and to blend uniform work with secret police work. In times of instability order was imposed by a police force trained, equipped and ready to use force. Whatever order pertains – liberal or illiberal - it will be maintained. The police force's inaction on 5th October 2000 was an exceptional break from its tradition of allegiance. There is little evidence however to

[17] Amnesty International, *Serbia and Montenegro – Alleged Torture during Operation Sabre*. AI index EUR 70/019/2003, September 2003.

[18] M. Downes, *Police Reform in Serbia; towards the creation of a modern and accountable police service* (Belgrade: Organization for Security and Co-operation in Europe Mission to Serbia and Montenegro, 2004).

propose that the police was actively facilitating the transformation of Serbia into a liberal democracy. Nor is there evidence that the police itself was enthusiastic about incorporating the transparency and accountability structures associated with such a policing in a democratic polity. Policing remains conservative, politically obedient and thus vulnerable to corruption and manipulation. It is not entirely clear that the reformers in the international community readily appreciated the revolution required to implement their suggested reforms. By insisting on decentralization and an independent inspectorate, it not only threatened to transform policing but also to drastically change the nature of Serbia's political culture. The lessons to be drawn for security sector reform in Serbia and elsewhere is that true change must be constructed from within – foreign models tailored in different contexts and imported without a due appreciation of the specific political and historical context at hand will rarely succeed. Police reform requires more than simply a reformation of the police.