



# DOES SERBIA NEED A NEW CONSTITUTION?

## OPINIONS OF THE SERBIAN POLITICAL ELITE

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The present Serbian Constitution was adopted in 2006 and has since then been subject to various criticisms relating not only to the procedure for its adoption, but also to the text and its provisions. The question is **whether the beginning of negotiations between Serbia and the EU and the results of recent parliamentary elections are the moment to start a serious, comprehensive and responsible debate that will lead to constitutional revision?**

Arguments in favor of that are numerous and range from technical and legal comments on the text of the Constitution up to criticisms directed at the merits of the Constitution. In statements by representatives of political parties that are in favor of changing the Constitution we can often find the following arguments: **the need to harmonize our supreme law with the EU acquis**; to define more precisely the **position and financing of the Autonomous Province of Vojvodina**; the question of the **status of the Autonomous Province of Kosovo and Metohija**; the argument which refers to certain changes within the **political system** of Serbia.

### POLITICAL PARTIES: PRO et CONTRA

Having analyzed recent statements by senior party officials in Serbian media, we can divide these statements into three groups. On the one hand, there are those who are **clear and forthright** about the necessity to revise the Constitution. On the other, there are few **supporters of status quo**, who think that the Constitution should on no account be revised and that its present form is the best solution possible. Somewhere in between, we can recognize attitudes of **those who are latently in favor of revision**, aware of the fact that it is necessary, but are not yet ready to voice their opinion in public. Major Serbian parties and highest-ranking politicians agree that the Constitution must be revised. There are two parties that are represented in the technical government whose officials have not made any public statements on that issue, although they have certain attitudes.

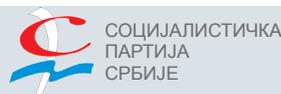




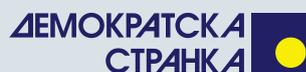
CONSTITUTIONAL REVISION	IN FAVOR OF CONSTITUTIONAL REVISION DURING ELECTION CAMPAIGN	IN FAVOR OF CONSTITUTIONAL REVISION	AGAINST ANY KIND OF CONSTITUTIONAL REVISION
1. SNS			
2. SPS			
3. DS			
4. NDS			
5. LSV			
6. SPO			
7. SVM			
8. DSS			
9. LDP			
10. URS			
11. SRS			
12. ZZS			
13. NS			
14. VP			



**The Serbian Progressive Party (SNS)** considers that constitutional revision will be a requirement for EU membership, but that a broad political and social consensus on that issue has to be achieved and that constitutional revision is not something that must be carried out at any cost. SNS observes that this issue has not been on the official agenda of the party or of the coalition which forms the present government. By way of reminder, the SNS is the only party which officially demanded constitutional revision.



Like the SNS, **the Socialist Party of Serbia (SPS)** has taken no official stance on this issue. President of the SPS and the current Prime Minister Ivica Dačić stated that leaders of the state have not discussed this issue, but did not rule out the possibility of constitutional revision if a mutually acceptable solution for Kosovo and Metohija is found. SPS's leader thinks that constitutional revision must be part of a comprehensive set of changes which would involve a broad consensus and political unanimity.



**The Democratic party (DS)** observes that the Constitution must be revised so as to allow Serbia to proceed on its way to the EU. Democrats agree that the Constitution must be revised after a broad public debate, since it would be impossible to substantially decentralize and regionalize Serbia without revising it, and the position of the Autonomous Province of Vojvodina should be improved as part of these efforts.



## European Movement Serbia



СРПСКИ ПОКРЕТ  
ОБНОВЕ

The **Serbian Renewal Movement (SPO)**, which was on SNS's electoral list in the last elections, believe that Serbian constitution should be revised, because it is an obstacle to Kosovo negotiations and to Euro-Atlantic integration of Serbia.



SAVEZ  
VOJVODANSKIH  
MAĐARA

The most fervent supporters of constitutional revision are party officials from Vojvodina. Thus, the **Alliance of Vojvodina Hungarians (SVM)** thinks "there is no other option" but to revise the Constitution. SVM's president István Pásztor states that the issue of constitutional revision has to be put on the agenda in the next four years.



ЛИГА СОЦИЈАЛДЕМОКРАТА ВОЈВОДИНЕ  
VÁJDASÁGI SZOCIÁLDEMOKRATA LIGA  
LIGA SOCIALDEMOKRATOR VOJVODINY  
ЛИГА СОЦИЈАЛДЕМОКРАТОР ВОЈВОДИНИ  
LIGA SOCIALDEMOKRATA VOJVODINE

The **League of Social Democrats of Vojvodina (LSV)**, which has been in favor of revision of the Constitution since it was adopted, emphasizes it will opt for the revision which should provide for a better and long-lasting solution for the status of Vojvodina. LSV considers constitutional revision to be of key importance to Serbian integration with the EU.



The most radical demand for constitutional revision in Vojvodina comes from a regional party, **the Vojvodina's Party**, which initiated a petition in mid-2013 to define Vojvodina as a republic within the state of Serbia.

### Stances of Serbian political parties toward constitutional revision most important reasons for constitutional revision

Reasons for constitutional revision	Political party													DSS	SRS
	SNS	SPS	DS	SPO	SVM	LSV	LDP	URS	ZZS	NS	NDS	VP			
1. Accession negotiations with EU	X	X	X	X	X	X	X	X	X	X	X	X			
2. Position of the Autonomous Province of Vojvodina			X		X	X	X	X			X	X	X		
3. Position of the Autonomous Province of Kosovo and Metohija		X		X			X				X	X			
4. Structure of the political system	X										X				
5. Higher degree of decentralization			X					X	X	X					



## European Movement Serbia



УЈЕДИЊЕНИ  
РЕГИОНИ СРБИЈЕ

The **United Regions of Serbia (URS)** think that the Constitution has become limited and that it should be changed. The URS considers the Constitution should be revised so as to give more power to local communities by way of decentralization, which is, according to this party's officials, one of the standards Serbia will have to meet if it is to become an EU member.



**Together for Serbia (ZZS)** is another party in favor of constitutional revision, and its position is that a centralized country is an obstacle to its development. This party is in favor of dividing Serbia into three regions: Vojvodina, Belgrade and Central Serbia.



Liberalno  
Demokratska  
Partija

Along with these parties, there is the **Liberal Democratic Party (LDP)**, which states that the reality in Kosovo and integration of Serbia with the EU call for constitutional revision, which is necessary if the status of Vojvodina is to be improved. The LDP has been in favor of constitutional revision ever since it was adopted in 2006.



Two newcomers to the political scene in Serbia, Zoran Živković's **New Party (NS)** and Boris Tadić's **New Democratic Party (NDS)**, are also in favor of constitutional revision. When his party was registered, the NS's leader Zoran Živković stated they will push for constitutional revision and a different electoral system, observing that its revision is aimed at introducing rule of law and establishing identity. Serbia's newest political party is also in favor of constitutional revision. The NDS's leader Boris Tadić has recently stated that he believes the Constitution will be revised in the forthcoming period, because it is a commitment which will affect not only Vojvodina, but also Kosovo and integration with the EU.



As opposed to parties which are more or less openly in favor of constitutional revision and are quite willing to talk about it, there are those who do not support this idea. Parties which voice opposition to constitutional revision, and which held seats in the parliament until recently, are the **Democratic Party of Serbia (DSS)** and the **Serbian Radical Party (SRS)**. The DSS considers that Serbian Constitution should not be revised because it maintains the country's sovereignty. The DSS point out that it is a lie that the Constitution must be revised for the sake of integration with the EU and refuse any kind of debate on this issue. Apart



from the DSS, the only party which is officially against constitutional revision is the SRS. This stance was released to the public at an election rally in Belgrade during which a letter by the party's leader Vojislav Šešelj was read. Bearing in mind that other parties which belong to the so-called patriotic bloc have not given any statements on this issue, with these uncompromising attitudes the DSS and SRS remain alone in the camp of those who openly oppose revision of the present Constitution.

So, as we could see, out of many parties that are active on the Serbian political scene, the DSS and SRS are the only ones who are openly against the revision of the present Constitution. All other parties agree that the Constitution should be revised after a comprehensive and serious debate and a broad political and social consensus. The SNS is the only party which officially demanded constitutional revision, while officials of DS, NDS, LDP, ZZS, NS, SVM and LSV mentioned that it should be revised during the 2014 election campaign. More or less, all parties which won parliamentary seats in the election are in favor of constitutional revision, while parties which oppose it failed to reach the threshold to enter the parliament.

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**Note**

*This paper analyzes official attitudes of Serbian political parties on constitutional revision in cases in which they are explicitly expressed, such as the SRS, DSS, SVM and LDP. In other cases the author took into account statements given to the media by parties' leaders and officials. The analysis covers the period from 2008 until today. (Author's comment)*