

Contextualizing Criminality and Security in South Eastern Europe

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The heterogeneity of South Eastern Europe (SEE) is an unavoidable fact. If one looks at the national level of the various states in the region as well as at their individual pace of transformation, it is very difficult to present a coherent regional South Eastern European perspective at all. This is the case in several aspects, but particularly in that of criminality and other security issues. This does not mean, however, that we do not see criminal activities organized on a transnational European and international level. On the contrary: organized crime does indeed function exactly this way, but we should delve deeper into national characteristics and look at whether and how politics and crime have joined ranks on the level of the nation-state. I take this to be the prevalent danger in SEE because of weak political, societal, and economic institutions and the lack of public trust in them.

More specifically, five points can be made about the context of criminality and security considerations in the region. First, by analyzing organized crime on a state level as well as on an international level, we are examining a transnational and a global phenomenon, and one that is as transnationalizing as it is globalizing. It has to be looked at and acted upon as such in SEE, while keeping in mind its local effects and roots. What we should not do is to treat SEE as a region that is somehow naturally inclined to crime and mafia-style activities—in the same way that we treated SEE a decade ago as an area prone to conflict and war. In both cases, this kind of stigmatization seldom leads to accurate analysis.

Second, the phenomenon of organized crime could develop and threaten both (inter)national security and the rule of law in SEE due to dramatic changes in the international system. The break-up of the former Yugoslavia and the collapse of the Communist bloc as a firm ideological system of control both contributed to this, or rather were the most important catalytic elements in these changes. There was an ideological vacuum in the wake of the Cold War that in turn led to a vacuum of legitimacy.

Third, due to the need for analytical clarity, as well as to the fact that the successor states of the former Yugoslavia form an important part of the region, the post-Yugoslavia republics and other SEE states have to be dealt with separately. I would argue that the break-up of Yugoslavia and the resulting wars remain the central political events in the region. Last but not least, as this is the subject of the paper, these conflicts should be identified as grand-strategic state-instigated crim-

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inal maneuvers, and must be analyzed accordingly. What is more, the wars and the way they were led fundamentally changed what was legal and illegal, what was part of civil politics and what was a military affair, or rather blurred the fine line between those two areas. The wars and organized violence in itself could be read and interpreted as acts of state and (para)military terrorism against a largely unprotected civilian population. What could the ethnic cleansing campaigns be but organized crime? What were the sieges of Vukovar or Sarajevo other than terrorism? It is due to the Yugoslav wars that this area was and to an extreme degree still is one of immense insecurity. Not only did the Yugoslav wars bring with them “conventional” war-induced security problems, such as death, destruction, and the flight of civilians that we came to know as ethnic cleansing, it also brought about—and this is an issue that is even more important—the breakdown of state authority and public order, not only in the afflicted regions, but also in areas where actual combat had not spilled over.

Old norms and established forms of legitimacy were purposefully destroyed, erased by highly skillful bureaucratic and organizational means, coming for a time to be almost non-existent. These maneuvers were successful to a large degree and had a devastating effect on concepts of legality, rule of law, and accountability—an effect that cannot be overestimated. The fact that the most criminal of the actors in these Balkan conflicts—many of whom are now in The Hague—have been apprehended should be considered a huge mark of progress and success in crime fighting. For years, these men were legitimized internally by elections and externally by international diplomacy. How could the citizenry have understood that they were criminals? By what means were they to understand this, given that paramilitaries like Seselj and Arkan who were politically and, in some cases, also physically responsible for the most atrocious crimes against civilians were deputies in national parliaments and thereby embodied and symbolized legitimate authority?

Arkan is a good example to illustrate the mechanism in action: in order to destroy the old system that was in the way of his political plans, he needed criminals, instead of competing fellow politicians, a competent police force, or a working judiciary. A criminal is cheap labor, as he is already outside any legal structures and has nothing to lose but everything to gain by serving his political master. The politician is the one who gives him credit, protection, and immunity. When his services become unnecessary and his actions become a threat to the master, he gets laid off—and that is exactly what happened to Arkan and several others that operated in the tightly-knit network between politics and organized crime. One could evaluate this in two ways: either the political system is criminal, or the criminal element in society has taken over the political system. For both, evidence could be found easily, the recent murder of Zoran Djindjic being only the most prominent example.

Fourth, deep transformation of the political power structure took place in an-

other sense. The shift from civilian to military power made control over the means of violence—instead of legality—the most crucial precondition for getting and holding on to power. The general diffusion of the state's authority transferred the monopoly over military power to regional and local warlords, and replaced formal political activities and procedures with mafia activities in many forms and variations. One could not say that this was purely an outcome of the war. Rather, these metamorphoses were carried out in the “form” of war. Or, to put it even more bluntly, these wars have to be seen as organized political efforts to undermine and eventually destroy legitimate political structures, state sovereignty, and national security.

Finally, having this in mind, we should pinpoint the phenomenon that we think is central to explaining insecurity and that represents the main obstacle to reducing organized crime and illegal activities in the region. I would argue that it is the lack of state and institution building—whether as a legacy of war or as a legacy of totalitarianism—that has made for a lasting security vacuum. The main dilemma at work here is that, on the one hand, the citizens of South Eastern Europe asked for legitimacy and the rule of law; on the other hand, the international community recognized and legitimized warlords and their success (e.g., with the Dayton Peace Accords).

In the post-war era, efforts to repair war damages have been slow to take shape. Slower still is the reconstruction of the political and social fabric of war-torn and almost destroyed societies. It is also important to note that this is taking place within a system of parallel levels of sovereignty that is having a lasting effect on post-war reconstruction efforts and is reproduced in a much more civil and well-intentioned way by the national-international division of power, especially in places under international protection like Bosnia, Kosovo, or the Former Yugoslav Republic of Macedonia. Not only do we see at times a rather chaotic and divided response to the national-international division of power and authority, we are also confronted with the fact that often the formal political structure is rather powerless unless it responds to the informal and hidden power base that was built during the war. That norms like accountability and trust in public officers have not developed and taken root has therefore both a domestic war-time dimension to it as well as one that takes notice of the fact that office holders are internationals who do not owe their position to the local electorate, nor do they have to legitimize their actions and policies before them. In this way the current situation is contributing to a dilemma of both sovereignty and legality.

To conclude, a political plan that includes all forms of international or solely European intervention in SEE is important, and the larger context of this plan should be the achievement of European integration. We need to recognize as a fact that, within the criminal realm, Europeanization has already taken place.