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### 3 | Between Pressure and Patronage

#### Navigating Legitimacy and No-Go Issues in Montenegro

*Sanja Hajdinjak*

In democracies, civil society (Newton 2001) and the media (Whitten-Woodring 2009) exercise vigilance over political elites and, when needed, act as catalysts of collective action to ensure that adopted policies align with broader societal interests (Olson 1965). Past work has argued that membership in other types of horizontal associations, like expert groups, boosts social capital and improves governance (Putnam 1995), rendering interest groups crucial for the functioning of democracies (Beyers, Eising, and Maloney 2008). When ideas advocated by citizens' initiatives resonate with public opinion, democracies tend to apply integrative strategies in dealing with the challengers (Kriesi 1996).

While interest representation is relatively well understood in the context of liberal democracies, we know little about how interest groups<sup>1</sup> and citizens' initiatives<sup>2</sup> lobby to affect the policy-making process in hybrid regimes.<sup>3</sup> Much work on advocacy under authoritarianism focuses on individual groups or on highly sensitive policy topics, such as human rights, while there is a dearth of research examining how the state manages group formation in and pressure coming from groups in more innocuous policy areas, and how this affects groups' chances at substantive policy successes.<sup>4</sup> Contributing to this literature, this chapter focuses on Montenegro as a case study. Specifically, I study policy advocacy in the country's environmental protection and tourism sectors.

A small southeastern European country, Montenegro has seen tremendous economic and political progress since it became independent in 2006. According to the Varieties of Democracy Liberal Democracy indi-

cator, with its score below 0.4, the country's regime is not fully democratic, but a hybrid one (Coppedge et al. 2020; Freedom House 2020). In this chapter, I refer to the Montenegrin regime as a dominant party regime,<sup>5</sup> meaning that unlike in single-party regimes that prevent opposition parties from participating in elections, opposition is permitted to compete in multiparty elections, but the alternation of political power is usually not allowed (Magaloni and Kricheli 2010). Specifically, in Montenegro, national electoral competition has been very skewed: up to 2020, the Democratic Party of Socialists (DPS) has won every national-level election since democracy was formally introduced in the early 1990s.<sup>6</sup>

These regime characteristics have consequences for the advocacy groups I study. Smear campaigns have targeted Montenegrin NGOs, and their most critical members have faced persecution, undermining their image and influence in society. Citizens are largely apathetic about the prevalence of corruption in high-level politics, and the number of citizens' initiatives is low (Bisogno et al. 2011). Even though government-critical media outlets are allowed, reporters investigating the hybrid nature of the regime are regularly slandered and even physically attacked with impunity (Freedom House 2013).<sup>7</sup>

An important characteristic of the Montenegrin economy is its dependence on tourism, with 24 percent of Montenegro's national GDP attributed to this sector (WTTC 2018). Therefore, protection of cultural and natural heritage should be important for economic stability. Tourism, however, also provides the government with resources to sustain the patronage basis of the regime through lucrative deals for the supporters and members of the dominant party, oftentimes at considerable cost to the environment or the public interest. As a result, many of the country's advocacy groups focus on exposing shady tourism deals and lobby for the implementation of existing legislation, which political elites tend to creatively disregard. Considering the importance of the tourism sector (and therefore a clean, preserved environment) for the Montenegrin economy, focusing on this policy area generates insight into the dynamics of lobbying autocratic rentier states. It also elucidates the unique opportunities that advocacy groups carve out to affect decision making in such a context.

Through this analysis, I find that a degree of mobilization and pressure on the political leadership are necessary to force policy issues onto the political agenda. In line with the findings of the preceding chapter of this volume, I find that better-organized NGOs and expert groups, with more personnel and expertise, can offer better policy advice and ensure a higher degree of mobilization, which is therefore more likely to become sustain-

able, garner public attention, and serve as a backbone for the organization of the citizens' initiatives. But even the best-organized groups cannot hope to influence policy output if they fail to expand the conflict to broader publics. Crucially, group mobilization relies on pre-existing grievances and public dissatisfaction, driving citizens toward either NGOs or citizens' initiatives. A modicum of critical media, able to supply independent information to the public, is also a crucial condition for successful mobilization campaigns. Furthermore, successful policy lobbying is positively correlated with external pressure as Montenegro attempts to further its EU membership aspiration and, therefore, provides the EU with strong policy lobbying leverage. These mechanisms correspond well to those known from interest group studies in liberal democracies.

I also find, however, that in the Montenegrin dominant party regime, policy topics that endanger the political and economic interests of the incumbents are policy lobbying no-gos. These topics are not fixed, but rather change as the interests of the incumbents do. The likelihood of policy lobbying success consequently also varies by policy topic and the level of group mobilization. Nevertheless, in no-go policy areas, mobilization may be comparatively strong but ultimately ineffective. These findings imply that policy lobbying can, even if not common, be successful in hybrid regimes if there is sufficient public pressure and the issue at hand does not represent a threat to the regime patronage network.

The chapter is structured as follows. First, I provide an overview of the theoretical assumptions regarding policy lobbying in democracies and formulate expectations regarding their translation into a hybrid regime context. Second, to familiarize the audience with the case study, I introduce Montenegro as a dominant party regime. Third, I map out the Montenegrin landscape of interest groups and citizens' initiatives by focusing on the regulatory framework, resources, expertise, and strategies for survival in a dominant party regime. The fourth section focuses on analysis. The final section summarizes the most important findings.

## Mechanisms of Influence

In this section, I discuss literature on lobbying in democracies and on the conditions under which advocates are more likely to succeed in their efforts. Specifically, I focus on the stage of group mobilization and how it links to the likelihood of ensuring policy lobbying success. I then elaborate on how autocracies differ from democracies concerning the context

in which advocacy groups form and lobby and the conditions under which their policy influencing can be successful.

In democracies, NGOs are well-recognized for their role as facilitators of collective action; such groups combine expertise and can bring together relevant stakeholders (Newton 2001). NGOs also tend to be better positioned than individual citizens to file lawsuits; they understand the legal language and framework and have the experience to initiate and circulate petitions for the annulment of laws. Expert groups, such as unions and professional associations, provide field-specific knowledge and convey group interests to political decision makers (Lowery and Brasher 2011). The extensive literature on lobbying in democracies suggests that the ability to influence policies depends on interest groups' resources, including funding, personnel, and experience (Dür and De Bievre 2007), and, crucially, the ability to mobilize the public (Dür and Mateo 2014; Smith 2000) in order to place an issue on the agenda (Kingdon 2003).

In turn, the ability of citizens to mobilize and organize in support of policy change is riddled with collective-action problems (Ostrom 2011; Olson 1965). Selective incentives and resonant collective action frames may be necessary to overcome free-riding and other issues (McCarthy and Zald 1977; Snow and Benford 1988). Scholarship on collective political action has also emphasized the importance of grievances or relative deprivation for motivating people to agitate together for change (Klandermans, Roefs, and Olivier 2001). Individuals—however aggrieved they may be—also need to feel that their actions can make a difference and believe in the likely success of a group in order to act collectively (e.g., Finkel, Muller, and Opp 1989).

But in principle, in societies where citizens believe that things can change and where political trust is comparatively high, the collective-action problem is surmountable. Citizens actively participate in political life and organize into citizens' initiatives to resolve issues (Rothstein and Varraich 2017).

Taken-for-granted conditions for this scenario are uncensored media and plural sources of information to act as watchdogs against the misuse of power and violations of public interest (Pfetsch and Esser 2013). If the free formation of preferences exists—no censorship of the media—NGOs can inform the public about unlawful activities, and citizens' initiatives can garner attention for their offerings (Keck and Sikkink 1998), thereby pressuring political representatives and creating a political opportunity to influence policy making and implementation.

In an autocratic setting, however, informal interest groups with clan,

family, or patronage links to the ruling elites might be more able to influence policy making than formal, organized groups, such as NGOs or registered lobbyists. Not only are NGOs and lobbyists often negatively portrayed as being controlled by foreign powers, but government officials also perceive cooperating with interest groups as harmful for their image of political power. Due to the lack of electoral and rule-of-law checks, the public in autocracies is more likely to perceive such cooperation as an imposition of private or foreign interest over the domestic, public interest (Fink-Hafner and Thomas 2019).

Advocacy groups in autocracies face stronger difficulties in overcoming collective action problems since their (and their families') safety, property, and working places might be compromised if their loyalty to the political regime is questioned (Gandhi and Lust-Okar 2009). Insufficient access to information that would enable the citizens to attempt to hold their political leaders accountable also frequently plagues electoral autocracies (Schedler 2002). Even if civil society has the necessary expertise to formulate policy advice, it cannot rely on the media to inform the public about the misuse of public resources and to create pressure on the government. Similarly, autocracies have closed structures of access to the political system (Eisinger 1973) and provide less opportunity for investigative journalists critical of the political leadership (Stier 2015). In autocracies with some incumbent-critical media, I expect that their role in publishing information on advocacy groups' efforts will be crucial for the success of policy lobbying. Overall, and similar to democracies, it can be presumed that more resourceful groups and those with the ability to mobilize pressure on the political leadership to place issues on the political agenda would also be more successful in influencing policy making and output in autocracies.

Electoral autocracies also resemble democracies in their quest for legitimacy, often ensured through a semblance of governance reforms and a focus on economic performance (Dukalskis and Gerschewski 2017). The focus on the economy opens up space for policy lobbying, so autocrats can cherry-pick advice and strategies to improve their economic performance while refraining from making democratic claims (Spires 2011). Beyond economic performance, autocracies also resemble democracies by seeking procedural legitimacy: common approaches include staging electoral campaigns, introducing anticorruption reforms, and allowing a modicum of civil society and media freedoms. This applies particularly to cases in which international approval provides benefits such as membership in international organizations and aid. Following this argument, I argue that

external pressure can open up space for policy lobbying. I expect that autocrats would be willing to adopt policy advice that can improve their economic performance and international reputation without harming the interest of the incumbents.

This is, naturally, also possible in democracies. In autocracies, however, policy influence is limited to those policies that do not directly endanger the dominant party regime. The survival of the regime is of utmost importance, so policy influencing occurs only with issues that do not threaten the power and benefit the status quo. This contrasts with sensitive policy areas that are central to regime maintenance, what I term “no-go” policy issues. Here the formation and operation of advocacy groups will not necessarily be repressed in the mobilization phase but will ultimately be rendered ineffective through political machinations. Since regimes can be sustained in different ways, it is important to note that there is no universal way to define issues as threatening vs. nonthreatening for autocracies. In dominant party regimes, the party elites and their network are supplied with jobs, privileged access to tenders, and special benefits, ensuring political support and obedience (Brooker 2017). As a result, the leadership would attempt to adopt only policies that do not harm the rentier class. This can be done in various ways. For example, currying favor with an important investor and turning a blind eye to some regulations can be very profitable for the political leadership, rendering advocacy groups’ efforts to influence policies in this area prohibitively expensive. Specific policies do not, however, endanger all autocracies equally. Therefore, I expect policy lobbying to be ineffective when and where it tackles the foundations of a spoils system.

How do these assumptions regarding no-go policy issues apply to issues of environmental sustainability and the tourism sector? In some economies, reliance on tourism can become so prevalent that rents from the use of natural and cultural resources create distortions in the economy, and tourism deals represent an important source of patronage, thus creating pressure on the political leadership to distribute valuable resources (Richter and Steiner 2007). Due to the secretive nature of patronage deals, such cases can be difficult to recognize and classify appropriately. In comparative perspective, it can further be assumed that such “nonnegotiable” issues will be fewer the more democratic a country is.

To summarize, I expect, all else being equal, that mobilization occurs more readily around policy topics where grievances create a climate for discontent and public pressure. In addition, policy topics that do not endanger political and economic patronage interests of the incumbents

are more open to influence production, while no-go topics are not. I hypothesize, however, that these no-go topics are not “fixed,” but rather vary with the incumbent’s interests. The prevalence of patronage in a rentier state context translates into few policy areas that are not regime-threatening. Therefore, I expect successful group mobilization to be the exception rather than the norm. Consequently, I expect substantive policy successes to be unlikely. For topics that are seen as nonthreatening to the regime, media coverage is essential for creating domestic and external pressure on the political elites and getting the topic on the political agenda. Finally, group ecologies matter, but only as much as they correlate with better identification of problems, support in organizing citizens’ initiatives, and, therefore, stronger pressure on the political leadership.

## Research Design

I test the previously outlined expectations using the case of Montenegro. Specifically, I study the lobbying efforts of advocacy groups in two distinct policy areas: environmental protection and tourism. My analytical strategy is twofold. First, I assess the effectiveness of the mechanisms behind lobbying a natural resource protection case, here the Tara riverbed, in two phases. In the first phase, when lobbying was initially successful, and in a second phase, when it was not. Second, I examine two tourism projects, where I investigate how NGO information politics engagement can result in successful policy lobbying (Valdanos Bay), or in a failure when combined with strong public pressure, but focusing on a no-go policy issue (Mamula Fortress). A two-by-two contingency representation of the argument is outlined in table 3.1.

The case studies are situated in Montenegro, a small, Balkan, coastal country in southeastern Europe inhabited by 660,000 people. Following a referendum, it became independent in 2006. Between the introduction of a multiparty system in 1991 and 2020, the Democratic Party of Socialists (DPS)—the communist party successor—won every parliamentary and presidential election held in Montenegro, except in 2020.<sup>8</sup> As a result of the lengthy dominance of the DPS, there was a lack of boundaries between the ruling party and the state (Morrison 2011). Privatization cases and large-scale investments in the Montenegrin economy often generated controversy as the final deals, the details of which were unavailable to the public, were allegedly made privately between the DPS leadership and the investors. Friends and relatives of the DPS leadership had their own com-



TABLE 3.1. Grievances, Patronage Interests, Mobilization and Policy Lobbying of Advocacy Groups

		Success in Lobbying	
		No	Yes
Grievances	High	Strong mobilization <i>Mamula Fortress</i>	Very strong mobilization <i>Tara Powerplant</i>
	Low	Weak mobilization <i>Tara Highway</i>	Weak mobilization <i>Valdanos Bay</i>
		Yes	No
Patronage Interests			

panies or important political functions, rendering policy making a function of DPS interests.<sup>9</sup>

Considering the hybrid nature of the regime, it is important to note Montenegro has EU aspirations, which affects the engagement of interest groups. As a result of the accession leverage, the EU has a strong influence on Montenegrin domestic and foreign affairs. Nevertheless, the progress in adopting the EU legal framework has been uneven. Corruption, skewed electoral competition, organized crime, and environmental regulation remain the most often quoted obstacles to Montenegrin EU accession (European Commission 2019). Despite EU pressure, little progress has been made in any of these areas. Between 2013 and 2018 only 19 percent of all grand corruption court cases were penalized and only one case includes DPS elites (MANS 2020).

Environmental sustainability represents a paradox: Montenegro, by its constitution, is an “environmental state” (Parliament of Montenegro 2007). This is oftentimes brought up in official documents, development programs, and in the executive political communication and public discourse. In addition, Montenegro relies heavily on tourism, where it banks on the preserved nature and richness of cultural heritage. This should incentivize the adoption of policies that would ensure environmental protection, but the political leadership continuously ignores environmental problems stemming from the energy and construction sectors (Zanoni 2011; Milovac and Mrdović 2012).

## Advocacy Group Landscape in Montenegro

Before initiating the analysis, I provide a basic outline of the interest groups and citizens' initiatives landscape relevant for the fields of environment protection and spatial planning by focusing on the legal framework, resources, tactics, and fields of expertise and engagement.

### *NGOs and Expert Groups*

The NGO sector started to develop in the 1990s, after the formal introduction of democracy. Trade unions, chambers of commerce, and students' associations, however, existed already in socialist Montenegro (Cekik 2015). Since 2011, the Law on NGOs (2011) regulates two forms of NGOs: associations and foundations. According to the register of the Ministry of Inner Affairs, there are almost 5,000 registered NGOs: 4,500 associations, 174 foundations, and 11 branch offices of foreign NGOs (2020). NGOs are small in terms of personnel and funding. On average they have five employees, and 40 percent declare annual income lower than EUR 10,000. Many of the NGOs use state or municipally owned office space and have at their disposal some state funds (Stojanović 2018), even though funding allocation is considered nontransparent and biased according to political criteria (Abdullaev et al. 2016). Foreign donor funding (as the main source of funding for the NGOs) has been in decline since the early 2000s (USAID 2012). The legal environment for the functioning of NGOs is strengthened by five pieces of secondary legislation aimed at implementing the Law on NGOs, a Strategy for Improving the Incentive Environment for NGOs 2018–2020, and the Action Plan (European Western Balkans 2020). Despite the well-developed regulatory framework, the members of those NGOs that are critical of the government face challenges in their engagement.

Due to EU accession leverage, civil society has been granted more opportunities to be included, at least formally, in consultations on the regulatory framework (European Commission 2019; European Western Balkans 2020). The government went a step further than candidate countries in previous enlargement rounds and enthusiastically ensured places for NGOs in the negotiation working groups. But real cooperation has not emerged, except in those cases when such an arrangement suited the government (USAID 2012).<sup>10</sup> NGO leaders contend that their participation has been aimed at ensuring external legitimacy; in reality their representa-

tives were denied even the most basic information and their suggestions have routinely been ignored (MANS 2020).

The coexistence of the hybrid regime and the interest groups is possible in two ways. On the one hand, to protect against repression, groups critical of incumbents inform foreign embassies and international institutions of threats against them, relying on the government's need for external legitimacy to protect themselves (PCNEN 2004). On the other hand, NGOs that address societal needs while refraining from criticizing incumbents can operate without threats against their work (Stojanović 2018).

When discussing the Montenegrin NGO landscape focusing on patronage and environmental sustainability, one NGO is particularly prominent: The NGO MANS<sup>11</sup> is well resourced (eighteen employees) and organized (research, legal, logistic, and administrative teams as well as a strong web presence). The group's work includes investigating malfeasance, making information regarding violations of law publicly available in media and on their website, as well as filing criminal charges against the individuals who violate Montenegrin laws. Initially, the organization focused on electoral (MANS 2015) and rule-of-law violations (MANS 2008), but toward the 2010s, it branched out to include environmental cases and urban development (MANS 2010, 2009). To be more specific, MANS analyzed problematic aspects of more than a dozen tourism projects and published detailed descriptions explaining breaches of the Montenegrin legislation.

Other NGOs and expert groups focus on the rule of law and environmental protection but attempt to gently influence policy making by organizing lectures, exhibitions, and preparing publications on topics of public interest while avoiding confrontation with the incumbents. *Expeditio*, *Green Home*, and *KANA* include policy experts actively dealing with issues of spatial planning and urbanization in Montenegro. Their engagement includes publishing about sustainable spatial planning and organizing lectures on the effects of large investment projects on the landscape (NGO *Green Home* and *Expeditio* 2012). *KANA*<sup>12</sup> is a particularly important defender of public space and natural resources. Their work includes the organization of public demonstrations, such as protests against the misuse of public space and devastation of architectural heritage (Rajković 2015). There are cases in which experts find it necessary to openly criticize the unsustainable use of land and cultural heritage (Vijesti 2016; CGO 2013; Kalezić 2012, 2014). Finally, members of some of the NGOs are in the incumbent party, and their family members are in the executive branch. They therefore do not seek to criticize the regime (Stojanović 2018).

### *Citizens' Initiatives*

Corruption and patronage are widely accepted among citizens as the inevitable parts of life in Montenegro. Citizens lack belief in political change, making the fight against regime pathologies and protection of the environment through collective action unlikely. Only 9 percent of the Montenegrin population has participated or is currently involved in any type of group activity (Komar et al. 2015). Citizens' initiatives in tourism and urbanism (of particular interest for this chapter), focusing on patronage and protection of natural resources, have been relatively rare, weak, and underorganized (Hajdinjak 2017). To this date, the protection of the Tara riverbed (described in more detail in the following section) is the largest, most encompassing, and the only successful example of citizens' initiative policy lobbying.

The costs of criticizing incumbents and mobilizing against it are high, and citizens are reluctant to organize against political leadership (Anderson et al. 2005). As incumbents have control over the judiciary, access to public employment, state-sponsored benefits, and contracting of public works, an individual critical of the regime could be punished economically (by being excluded from state-sponsored benefits) and in terms of safety (Frantz, Kendall-Taylor, and Wright 2020). The payoff is not so good either. Representatives of the citizens' initiatives are included in policy making only when pressure on the political leadership increases so much that it becomes harmful for the incumbents to ignore it.

### **Analysis: Influencing Natural Resource Use**

When discussing factors that influence success in policy lobbying, I hypothesize that, as in democracies, grievances facilitate mobilization and public pressure on the political leadership, which are both crucial for successful policy influence. Specific to hybrid regimes, though, I suggest that incumbents' patronage interests foreclose lobbying success on certain no-go issues. Focusing on natural resource protection and tourism projects, I test whether this is the case in Montenegro as a dominant party regime. A tabular summary of the cases is available in appendix A. In the following section I discuss the cases of Tara riverbed protection initiatives in 2004 and 2020.

*Tara Riverbed Protection*

Owing to its high flora and fauna biodiversity, the Tara river canyon is on the UNESCO's list of the "Man and Biosphere" protected areas. NGOs and expert groups' efforts to protect the river Tara from environmental destruction have a two-decade-long history in Montenegro and show how lobbying on natural habitat protection led to two divergent results. Both cases focused on the protection of Tara. The first one (Tara Powerplant) featured successful and sustained mobilization, which resulted in a substantive policy win. The second episode (Tara Highway) lacked larger public mobilization and arguably evolved around a project that provided benefits for the patronage network, rendering it a policy no-go issue.

The powerplant episode began in the early 2000s, when the riverbed was threatened by the government's energy strategy that envisioned the development of the Buk Bijela hydro power plant facility and flooding of the Tara canyon (Kujundzic 2012). In 2004, NGOs and expert groups organized protests against the flooding and created a petition calling for formal protection of the river Tara. Their ability to mobilize public attention was a result of media coverage (both foreign and domestic) and their capacity to provide the necessary information to all interested individuals, media, and groups (Stevović 2005). Domestic groups organized protests, informed the public, and alarmed the international organizations, whose attention to the issues created additional pressure on the political leadership. The issue being one of broad interest, the petition was signed by more than ten thousand citizens, a legal requirement to initiate a parliamentary procedure in Montenegro. Because of the immense pressure, the Montenegrin Parliament adopted the Declaration on the Protection of the Tara River, and DPS's coalition partner Social Democratic Party of Montenegro (SDP) sided with the opposition, creating a new majority in favor of the Declaration (Kujundzic 2012). The collective efforts to protect Tara were frequently emphasized by NGOs and expert groups as an example of successful policy influencing in Montenegro (Krcić 2015).

A more recent cycle of environmental lobbying against the continuous ecological devastation incurred through the construction of the Bar-Boljare highway was less successful in attracting members, funding, and public attention. Plans for the project, funded through a one-billion-dollar loan by the Chinese government and connecting the north and south of Montenegro, included 165 km of roads, 48 tunnels, and 107 bridges and viaducts. In addition to skepticism regarding the financial sustainability of the highway (Mardell 2019),<sup>13</sup> the investment contract specified that China

could seize Montenegrin territory in the event of a default on the loan (Higgins 2021).

Six environmental NGOs have filed criminal charges against the relevant ministries, inspectorate, and the Chinese contractor for the devastation of the Tara riverbed with waste construction material and changes to the river flow (MANS 2019c). The impact of the highway construction was internationalized through the NGOs' campaign (MANS 2019b), and the European Commission and UNESCO both issued warnings that waste disposal and changes of the Tara riverbed were to be stopped immediately. Reports from the field, however, suggest that the described harmful practices continued (MANS 2019a).

In short, while the power plant episode resulted in a sustained and successful mobilization, the highway campaigns did not draw in significant public support. Two explanations of these divergent outcomes in protecting Tara as a biodiversity site are possible. I suggest that the highway construction, which endangered the Tara riverbed in 2019, represents a higher political priority for the incumbents than the planned development of the Buk Bijela hydropower plant. First, the construction of the highway has been referenced as a project of strategic importance for integrating the northern part of Montenegro with the coast and the remainder of the country. Second, the terms of the investment contract specify that at least one-third of works must be allocated to local contractors, providing an outstanding opportunity to ensure political patronage (Mardell 2019). Seemingly supporting this argument, according to MANS, \$280 million went to a construction company alleged to have close ties to the political elites that have originally made the contract (MANS 2018).

But another explanation is possible. Despite the media attention, external pressure, and the efforts of well-resourced and capacitated NGOs and expert groups, the efforts to prevent the highway-related devastation of Tara canyon has not captured public attention. While some Montenegrins think the project will devastate Tara and likely bankrupt Montenegro, for others, especially those from the country's northern areas, the highway is an important means of development (Mardell 2019). As a result, efforts to mobilize larger public pressure on the political leadership, which had been crucial for putting the protection of Tara on the political agenda in 2004, fell short. This suggests that at the early stage of influence production, objective grievances are an important conditioning factor for a lobbying campaign's success. Even selective incentives and shrewd organizing cannot compensate for the absence of strong grievances, making it difficult for advocacy groups to attract members and public attention. Further-

more, while mobilization could still occur on topics affecting key patronage interests of the regime, policy success will be unlikely.

### *Lobbying in the Tourism Sector: The Valdanos and Mamula Cases*

To further explore the extent to which grievances and policy red lines affect the mobilization of interests, I analyze two tourism cases, Valdanos Bay and Mamula Fortress. The Tourism Projects Dataset (Hajdinjak 2017), listing all strategic tourism investments in Montenegro, shows that out of seventy-one projects, NGOs lobbied for project modifications in eleven cases. Their engagement conclusively pressured the political leadership against implementing only one of those projects: Valdanos Bay. Based on publicly available indications, the misuse of function and patronage were present in all eleven cases. The case of Valdanos, therefore, suggests that NGOs can, under certain conditions, successfully lobby changes in the implementation of tourism projects, while the other ten projects show how unlikely and difficult such change is in general.

Valdanos Bay, located in Ulcinj, the southernmost Montenegrin municipality, is known for its ancient olive trees grove (eighteen thousand olive trees, some of which are more than 500 years old) and has the status of a cultural good protected by the Montenegrin state. In 2008, the Montenegrin Privatization Council opened an international tender for the long-term concession of the bay, intending to develop hotels and residential apartments. The spatial plan allowed for the construction of one hundred residential villas and three hotels with seven hundred accommodation units in the bay and, despite its status as a protected cultural heritage, the removal of the ancient olive groves (MANS 2011).

Two offers were received and subsequently ranked (MANS 2011). MANS cautioned, however, that based on publicly available data, the preferred offer did not fulfill three out of four tender requirements and was therefore not a viable option. After the financial status of the consortium behind the preferred offer was published in government-critical newspapers with high circulation, public dissatisfaction with the Valdanos agreement broke out. But the case has not led to a strong mobilization of the public in the form of citizens' initiatives. Regardless, under these circumstances, the tender for Valdanos was canceled (MANS 2011). The case clearly showed that NGO campaigns, even when not backed by a citizens' initiative, can successfully prevent resource and function misuse. Taking into account, however, that this is an isolated case, the lack of interest of the political elites in pursuing this specific



investment with these partners would seem like a more probable reason for the successful lobbying attempt.

To explore the role of public grievances vs. incumbents' interests as a decisive mechanism for mobilization and successful lobbying, I turn to the Mamula Fortress project. In this case, a citizens' initiative, supported by the international community and the engagement of interest groups (architects, spatial planners, culture associations, and war veterans), was ultimately not successful in its attempt to lobby the policy development because it ran counter to the political elites' interest in its implementation.

The case revolves around a long-term concession at the historical Austro-Hungarian fortress of Mamula and the plan to turn it into a luxurious and exclusive tourist resort. The fortress is a protected cultural heritage site and has an important place in Montenegrin history, as it served as a fascist concentration camp in World War II. In opposition to this exclusive model of tourism development that was favored by the government, citizens organized on Facebook<sup>14</sup> and started a citizens' initiative that collected signatures to halt the concession allocation process until a more suitable developmental model could be found. The initiative received instant domestic media coverage (Radio Jadran 2014; Al Jazeera 2014) and was supported by NGOs, expert groups, and even local war veterans' group, resulting in significant pressure on the political leadership.

The news of the plan to commercialize a former concentration camp, recognized as a cultural heritage site, soon crossed the Montenegrin borders. Tourism experts and representatives of international organizations wrote letters in support of the citizens' initiative and against the commercial use of the fortress, which, as an exclusive resort, would exclude the local population from access to it (Savio 2016). Local political leadership sided with the citizens' initiative and supported their efforts to halt the concession of Mamula.

The concession of the fortress was put to vote in the Montenegrin Parliament where, after the first attempt failed in July 2015, it was approved on the second vote in December 2015. Some MPs from SDP, DPS's coalition partner, voted against the deal, but it was passed with supporting votes of an opposition party. Other than agreeing to turn one of the prison cells into a memorial museum commemorating the victims of the fascist regime, none of the other recommendations were taken into account.

Why was the citizens' initiative unsuccessful? It should be noted that the investors in Mamula already initiated the development of a brand-new tourist town in the Lustica Bay, which is based on the Strategic Partner-



ship with the Government of Montenegro. Considering the size of the investment in Lustica Bay,<sup>15</sup> maintaining a relationship with the investor represents a stronger incentive than the public pressure to find a different tourism development model for Mamula. The case demonstrates that lobbying efforts of advocacy groups, even when undergirded by strong public grievances and external pressure, face strong headwinds when the interests of the political leadership are at stake.

What about the role of the media in influencing policy making and policy implementation in the tourism sector? As shown in all four cases, media coverage was instrumental in informing the citizens about the engagement of the advocacy groups, as well as focusing public attention to pressure the political leadership. While the media do not have a direct influence on tourism projects or policy making, they are instrumental in informing the public and shaping public opinion.

## Conclusion

This chapter analyzed the conditions under which advocacy groups mobilize and lobby for policy change in hybrid regimes. I suggested that factors driving successful mobilization in democracies could also be at play in hybrid regimes: well-resourced groups, media coverage, and public grievances are important resources for successful policy lobbying. Following the assumption that political leaders in autocracies also care about legitimacy, I argued that they cherry-pick the advice of advocacy groups when this does not endanger the regime and its patronage structures. Conversely, where patronage interests are threatened, authorities either ignore or actively undermine advocacy efforts. Effectively, even in issue areas where there is public discontent with prevailing governmental policy, and where groups are thus able to easily attract members and public support, successfully influencing policy is unlikely if and when these issues impinge on patronage interests.

To illustrate these mechanisms, I focused on the case of Montenegro, a dominant party regime, and its problematic use of natural and cultural resources. First, through the case of the Tara riverbed, I showed that incumbents' interest, along with media coverage and public pressure, is an important determinant of successful policy lobbying. Second, I investigated the efficacy of mobilization efforts in two selected tourism projects with a variation in the incumbents' interests. In the case of Valdanos, the NGO campaign, not backed by strong grievances, still resulted in a policy win because

incumbents' interest in this specific investment was marginal. In contrast, the case of the Mamula Fortress exemplified a no-go policy topic, one of particular economic and political interest for the incumbents. Here, even though public grievances were strong and advocacy groups mobilized significant pressure, they were ultimately unable to punch through elite resistance. I further demonstrated that without media coverage, NGOs and expert groups cannot hope to get the critical attention of the domestic or international community or to be invited to participate in decision making. This has consequences for their chances of ultimately influencing policy outcomes. It is likely a reason why advocacy groups often opt for media-centric lobbying strategies, even in nondemocracies, a theme that is further explored in chapters 7 and 8 of this volume.

Overall, these findings speak to the third cross-cutting factor that is theorized to impact all stages of influence production in the concluding chapter: social control. The results concur with studies suggesting that policy red lines exist under autocracy and that they limit and guide the possibility of societal influences on authoritarian policy making (e.g., Lyons and Gomez 2005; Truex 2016). Yet they may play out differently at different stages of the lobbying life cycle. Depending on the severity of the oppression, they might not make group mobilization as such impossible, but they might decrease the likelihood of policy influence as the incumbents protect their strategic interests. But, while in other contexts these topics are relatively fixed or determined simply by policy area (see next chapter), this need not always be the case. Rather, no-go topics change as the interests of the incumbents do. In the context of rentier states, such as Montenegro, the extraction of natural or cultural resources is a sensitive policy area. As this chapter has shown, however, lobbying red lines are drawn at the micro-level, based on whether clientelistic networks have an interest in a specific development or not. In order to mobilize successful campaigns, advocates must therefore remain flexible as they adapt to the constantly changing terrain of no-go issues and permissible ones.

Just as the preceding chapter, my findings also suggest that to a certain extent, some mechanisms of policy lobbying in democracies also apply well in hybrid regimes. Group resources, public grievances, and favorable media attention are related to successful mobilizations in both contexts. I emphasize however that the applicability of these mechanisms may depend on a regime's likeness to democracy, such as a relatively free supply of information and the relative safety of those who engage in policy lobbying. The case of Montenegro thus represents an outlier, in that its "softer" variety of authoritarianism—less repression, little censorship—

provides more favorable conditions for mobilization than some of the other case studies explored in this volume.

## NOTES

1. Referring to the definition presented in chapter 1 of this volume, I understand interest groups as actors characterized by organization (excluding broad movements), political interests (attempts to influence policy outcomes), and informality (not seeking political office). I include both NGOs, (e.g., environmental organizations) and expert groups (e.g., professional associations) in this category.

2. Citizens' initiatives can be characterized by their conflictual relationship toward an opponent, a set of common beliefs and goals, and a repertoire of collective action (Kriesi 2007). Unlike interest groups, however, they are based on dense informal inter-organizational networks, where no single actor can claim representation of a movement as a whole (Diani and Bison 2004).

3. By hybrid regimes I refer to ambiguous regimes between defective democracies and competitive authoritarian regimes (Diamond 2002), which mimic some characteristics of democracies but do not fulfill all attributes of modern democracies: free and fair elections, universal participation, civil liberties, and responsible government (Pérez-Liñán 2017).

4. When discussing policy success, I refer to de facto fulfillment of the goals interest groups have set, rather than selective handpicking of the technical details from the side of the government.

5. Often also called hegemonic party regimes.

6. The 2020 parliamentary elections in Montenegro resulted in a slender victory for the opposition. While Milo Đukanović's Democratic Party of Socialists (DPS) still won the largest share of votes, three opposition parties managed to win sufficient seats in the national parliament to form a majority. V-Dem still gave the country a liberal democracy score below 0.4, classifying it as not a fully democratic one.

7. Reporters Without Borders criticized the oppressive climate for investigative journalism, such as the death of owner and editor in chief of the *Dan* newspapers Duško Jovanović in 2004, a physical attack on journalists for *Vijesti* newspapers Olivera Lakić during her work on covering corruption affairs in 2012 and 2018, several bomb attacks on *Vijesti's* cars in 2011 and bombing of *Vijesti* journalist Tufik Softić's house, a physical attack on *Vijesti* editor Mihailo Jovović and director of *Vijesti* Željko Jovanović, and a bomb attack on the *Vijesti* office in 2013 (Ponoš 2014).

8. By winning the parliamentary elections, I refer to winning the highest number of votes and being the main coalition party forming a government.

9. See Morrison (2011) for (1) an account of KAP (Kombinat Aluminijuma Podgorica) privatization and the deal struck between Russian billionaire Oleg Deripaska and then prime minister Milo Đukanović, (2) an account of Milo Đukanović's business interests (First Bank of Montenegro) and allegations of links to the Italian and Balkan underworld groups, and (3) a broader DPS modus operandi, such as DPS's ex-coleader Svetozar Marović and the role his family and friends had in forging business deals in the Budva municipality.

10. Jovana Marović, the executive director of the Politikon network, a Podgorica-

based think tank, said, “The ‘opportunity’ given for conversation and formal involvement mean little to nothing, as the proposals are not measured by whether they are constructive or not, but whether they threaten the interests of the ruling party” (European Western Balkans 2020).

11. MANS: Network for Affirmation of Non-Governmental Sector (Mreža za Afirmaciju Nevladinog Sektora).

12. Who if Not the Architects (Ko će Ako Ne Arhitekti).

13. Earlier feasibility studies suggested the highway would not be financially sustainable given the low traffic on the route and suggested that the government only modernize the existing roads rather than build new ones (Semanić 2019).

14. A Facebook group “Let the scream for the salvation of Mamula be heard” was created in February 2014 to raise awareness among citizens about the intentions of the Montenegrin government to sign a long-term rental contract for the island Lastavica. In thirty hours, the group collected six thousand supporters, which can be considered a great success for such a local issue.

15. The resort town will include two marinas, an eighteen-hole golf course, more than a thousand apartments, seven hotels, and other facilities such as a school and a hospital.

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