



Planning in Serbia in the First Decade of 21. Century: Lessons from Unsuccessful Story of Planning Society within Dysfunctional Democracy

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ABSTRACT:

Over the past half a century Serbia experiences major societal turbulences – post Second World War reconstruction, nationalization, frequent changes in constitution, several changes of societal practice (centrally planned economy, self-management, decentralization, etatization at the republican level, etc.), the dissipation of former Yugoslavia, fall of communism and establishment of a multi-party system, privatization, and market economy. All these changes are followed by continuous alterations of the legislation used to guide development and arrangement of Serbian settlements and cities . Spatial and urban planning doctrine and practice adjusts to the overall societal context and its main traits. By mid1980s the planning system in Serbia is highly integrated and participatory in its nature. Unfortunately, the mostly negative circumstances of the 1990s prompted a rather incoherent response from urban and spatial planning professionals and other entities involved in the land development process. The 21st century starts on a positive political footing – the move toward a true democracy, but is obstructed by the dynamics of initial capitalist accumulation and partial and slow implementation of social and economic reforms.

We find the state of Serbian planning quite complex – driven by conflicting professional cultures and highly politicized set of other actors who represent narrow private or commercial interests. The system still lacks the capacity to exert strong guidance and implementation of generally well conceived plans and to promote (let alone protect) public interest. It is our tentative conclusion that the institutional and societal (political and economic) problems are more of an obstacle than the laws themselves. It is not the laws but their implementation that is based on flawed institutional processes and difficult societal circumstances. The legislative activity seems to be only the means of

masking the practice that disregards or abuses the laws. Yet another initiative for changing the current law that is motivated by the investment interests may be indicative of this situation. Meanwhile, the National Spatial Plan of Serbia (voted in 2010) strongly reflect the controversial situation: clearly explained in this brief review, its content is a compilation of wishes, visions rather than quantitative analysis – instead of numeric data, almost 200 strategic priorities (!) are given, showing misuse of both terms of *strategy* and *priority* as well as ignorance of economic possibilities of the country. So, we could state that spatial planning laws and system are not only born but also may be strangled by the societal circumstances, as is the case in Serbia.

The research presented in this paper demonstrates that planning is deeply embedded in the societal context and that urban planning legislation clearly reflects that. The level of political and administrative centralization and the loci of political power seem to exert substantial influence over the planning system and practice. The professional cultures involved in planning -- planners, architects, engineers, economists, sociologists, geographers – are also prominent factors. Those professional groups are in search for self-identity and the boundaries of the planning field. They are active parts in the formation of the Serbian planning doctrine and planning system, often pulling in different direction. While this is a long-standing and ongoing productive and creative “battle” that will certainly continue in future, what is currently needed is for Serbia to settle on an operational and effective practice that would exert some order and care in the process of urban development. Institutional improvements and a firm action in curbing corruption and opportunism in urban transactions and land development would be an important first step.

Key words

Planning system, transition, constraints, planning practice, Serbia.

1. INTRODUCTION

Mentioning Serbia to someone, it will bring out the recollection of social earthquakes that occurred in the past 20 years – wars with neighbours, sanctions, refugees, deep economic crisis, bombing, the fall of the dictatorship, assassination of the Prime Minister and the end of the last two Yugoslavias. In the same period, one system collapsed and another was and is still being established now in the new independent Serbia.

The move from a centralized to a market economy is never easy and it requires from government and citizens anywhere to make difficult choices. But while countries other ex-communist/socialist countries started this process in 1989, Serbia did not initiate its reforms until early 2001. Economic, social and institutional deterioration of the 1990s left a more difficult legacy than the stabilization and reform vagaries facing other countries in Central and Eastern Europe at their transitional beginnings. Serbia unlike those lost its international markets due to international economic sanctions. Also, since the state was going through a long period of deep crisis it was considered politically risky to impose any kind of financial discipline and there wasn't enough strength to build government institutions.

After the democratic revolution in 2000 the path of economic and political reform, if not always linear, has been definite and has had impressive accomplishments especially in making good macro economical climate. However, the Republic today still lags behind many of its neighbors, particularly in the rate of unemployment (over 20%); low per capita GDP of about US\$ 3,525; high poverty rate (about 20%); low competitiveness (87th on the world list); striking internal and external imbalance (10.7% inflation rate and high balance-of-payments deficit amounting to 45% of the GDP in 2011); very uneven regional development by European standards (Yugoslav Survey Online, 2011). Unfortunately, now that it has reached the same level of economical development as in 1989, Serbia is standing at the point where the benefits of a market democracy have not yet been materialized and there are still other painful steps ahead that should be taken which will mostly cost already poor layers of society. Foreign direct investments inflow to the country which would mitigate these negative effects and accelerate economical growth is not sufficient (7.7% of GDP) due to Serbia's bad image, existence of risks and high rate of corruption. Social collapse is manifested through the loss of traditional values, break up of family structures, decreased family size (very small birth rate), and growth of single and elderly households. Public interest is unprotected in all spheres – social security, health, education, and spatial policy. Finally, many new laws are introduced (including the new Constitution), but are not well codified and harmonized – the fact that leads to their frequent misinterpretation or misuse.

Recovering from the legacy of 1990s and the transition, Serbia is at the same time burdened with the crimes committed in the name of its nation, swinging between alternatives – right wing and the political centre, on how to deal with it. Directly connected with it stands the future of its European integration, and all that it implies. In general, uncertainties regarding EU expansion as a political issue of EU and compliance with the International Criminal Tribunal for the Former Yugoslavia as a political issue of Serbia could reduce the value of EU integration as a key motivator for reform. Attention to reform is also diverted by the status of the 15 % of its territory called Kosovo and Metohia. Regardless of outcome of the negotiations between internal and external actors, there is a potential for negative and possibly destabilizing effects in Serbia. Other destabilizing factors are coming from constant infighting among democratically oriented political parties which form today's government, weak public sector and transition delays which have created opportunities for a rise in the influence of nationalist and populist parties. This has also resulted in a lack of political and public consensus on every important state issue, key transition policies and consistent political will to make difficult but necessary reforms.

Taken together, there are too many questions and uncertainties regarding Serbia's future in general and a lot of them are highly dependent on international scene and factors. Consequently, there are those that depend on reaching the consensus between internal players which doesn't make them any less complicated or more predictable.

Other questions are: In this country of uncertainty and bad experiences, how is a planner, a spokesman of long-term goals of development, progress and better quality of life, the carrier of mostly good news, being seen by the ones he is planning for? How does the planning work in a country like this? Since the first one is rhetorical, we will try to answer the second question further in the paper.

2. PLANNING IN TRANSITION

In almost two decades that have elapsed since the overthrow of state socialism (or communism) in Central and Eastern Europe (CEE), substantial changes have occurred in the nature, role and functioning of government and other institutions involved in spatial development and urban policy (Taşan-Kok 2004). Urban planning and policy responses of localities have been quite diverse, reacting to specific and often dramatic conditions: political democratization, reintroduction of market principles, the state's fiscal crisis, massive privatization, commercialization, discontinuation of "welfare state" programs, and intensified international financial transactions and investments in urban areas (Tsenkova and Nedović-Budić, 2006). The new circumstances have prompted not only new institutions but also a "new notion of planning" that strives to regain its legitimacy, become more flexible, and adapt to the new economic and political circumstances (Kornai, 1997; Maier, 1994). In those dynamics, an idiosyncratic mix of old, new and innovative practices interjects into the transforming reality (Nedović-Budić, 2001).

The transition of societies and cities from communist to post-communist, therefore, involves — among other things — new systems of government (or governance); new legal, constitutional and institutional frameworks; new economic order; new rules of social integration; and new policy choices for privatization and redistribution of public assets (Harloe, 1996, Andrusz et al., 1996, Offe, 1997). The theory of transition is rooted in the democratization theory that views transition as primarily a political process.¹ Transition specifically of urban phenomena and processes, too, is viewed as essentially political and economic, and perhaps not distinguishable from the transition in general (Holmes, 1997; Wu, 2003).

The case of former Yugoslavia and present Serbia illustrates well the changes that a planning system undergoes in response to the changing political regime, socio-economic system and institutions. While the planning systems in other Central and Eastern European countries have been under transition during the post Second World War and the more recent post-communist period, the Serbian case is particularly heavy in societal dynamics and scope that went beyond what could be considered a typical experience and context of a communist or a post-communist CEE country (Vujošević and Nedović-Budić, 2006; Nedović-Budić and Cavrić, 2006). In Petovar's (2003) words, Serbian cities are "between the state and the citizen." The more extreme variations in how planning profession and practice operated in former Yugoslavia and how they responded to the societal circumstances from 1989 on offer a rich set of observations that would point to the relationships between planning law and its broader context on one hand and planning practice on the other hand. The lingering transition (or what Thomas (1998) terms "the moment of discontinuity"), which in Serbia seems to have been more complex and less predictable than in other post-communist countries in Europe, also allows for an extended

¹ The main features of transition theory are: 1) a comparative approach; 2) an emphasis on democratization (civil society, political society, rule of law and constitutionalism, state apparatus, economic society with an institutionalized market); 3) categorization of the pre-transition situation as authoritarian, totalitarian, post-totalitarian, sultanism; 4) the determining influence of the past on the path of transition (path dependency). The theory also includes a 'moment of discontinuity' defined as a period where the structure and function of a country or city does not correspond to the external environment with which it has to interact. Transition is the period, stage, process, or policy that encompasses this moment and leads from one period or situation to the next (Stark 1992; Thomas 1998).

time period for studying the processes and issues that underlie the formation of a new planning system.

Pajović (2005) maintains that “urban law and system ‘spring’ from society, are ‘born’ with a state, and ‘grow’ in the space for which they are tied, in which they are ‘rooted’” (p. 6). Drawing on this notion, the paper focuses on changes in planning legislation in Serbia as the defining factor of its evolving planning system and as an important reflection of the dynamic socio-economic, institutional and political context.

3. PLANNING SYSTEM IN SERBIA: SOME STUMBLING BLOKS

As in the other ex/communist/socialist countries, former state-centred planning system broke down also in Yugoslavia at the beginning of the 1990s. In the following decade, along with the events we mentioned and the new key factors that transition introduced: political plurality, privatization and market economy, Serbia witnessed a deep crisis of planning, not only because of the chaotic state of the country but also as a reaction to too optimistic and rigid planning that characterized previous period of communism/socialism. There was some effort to meet the challenges of these turbulent times with the creation of the new legal arrangements and the adoption of the Spatial Plan of the Republic of Serbia in 1996 but in fact, the practise showed to be a mixture of old habits and few institutional changes which couldn't match the impact and of the new political, economical and social factors. The planning system as a whole was recognised like a “strange mix of heterogeneous elements from a number of disparate modes i.e. ‘crisis – management - planning’, ‘planning – supporting – wild – market - and-privatization’, ‘project – based - planning’ etc.” as in Vujosevic (2002; p.59). This unsuccessful retouching of the planning system that happened in the mid 1990s is well illustrated with the fact that in the next 7 years besides the national spatial plan only 2 spatial plans (one for water accumulation and one regional) have been adopted while 15 others were in different phases of elaboration. Such a system of spatial and strategic planning was characterised as:

- More or less developed spatial-geographical environmental system of criteria, i.e. a way of thinking on the spatial conditions for locating networks and development; Certain crucial mistakes of planners, which we encounter from time to time still do not discredit this planning dimension;
- Utterly undeveloped and inadequately established assessment and evaluation system of the financial-economic feasibility of planned solutions and an even more serious problem of the complete lack of an passable economic development strategy, without which the spatial plan is placed in an unreal economic space and time;
- Not of lesser significance is the social system development out of which should derive the idea on the needs, values and goals of a social community for which we make plans. This system, as yet, has been subjected to a mere improvisation in plans (urbanisation, housing, renewal, public services, special assets);

While Serbia's planning was trying to keep its head above the water, so called Western planning was entering another phase of its evolution. The consequences of globalization, deregulation, decentralization, negative processes in the environment and in the case of Europe its integrations, lightened the necessity of new more innovative

mechanisms and instruments that would shape a more 'plan-led' practice. This has resulted in promoting sustainability, subsidiarity, efficiency, cooperation, communication, coordination, spatial and strategic planning, schemes, initiatives, networks etc.

One year after the democratic change in Serbia, in 2001 works on reforming the system of planning began. The intention was to fill out the gaps created in the previous decade and to answer to the new political, economical, social and spatial context of planning as well as to incorporate new concepts and instruments that were at that time dominating the Western one.

The main carrier of this reform was the new Law on planning and construction, adopted in 2003. The intention was to bring planning closer to the citizens, to make the procedure of acquiring building licence easier and more in a concordance with European practice, to differentiate the public and other land and to make a step towards denationalization and to bring planners back on the scene by giving them more plans to work on and more responsibility (Djordjevic, 2003). Essential task to provide the framework for the prosperous development of the settlement, municipality or the state has been given to the local or state government.

The main pillars of the Law were:

- comprehensiveness (only one law that regulates the matters of planning, land and construction instead of precedent 30; plans are regulating all the conditions for every kind of construction);
- moderateness (instead of solving and defining everything, planning is more concentrated to the public interest);
- adequateness (the list of possible planning answers to different issues is extended);
- responsibility (planners have the professional license issued by the new Chamber of engineers under certain conditions; planners also have full responsibility for the quality of the product - plan);
- applicability (spatial plans contain the Contracts for implementation and urban plans have the mid-term programs);
- simplicity (every construction is welcomed if it is in a concordance with the plan, also there is a limited number of rules which can be interpreted by every professional)
- democracy (the rules determined in plans are equal for all);
- decentralization (every municipality has its spatial plan, rules and conditions for construction depending on its particularities).

Regarding planning the Law, besides its professional institution and planners' licences, regulates planning board of commissioners, Republic Agency for Spatial Planning, system of plans, their contents, institutions responsible for their adoption and hierarchy within the spatial planning, as well as subject, programs, contents, types, adoption and alterations of urban plans and other urban-architectural solutions within the urban planning.

Even though this new legal framework was debated inside the professional circle, other solution wasn't offered. Being given the new rules, not all the planners managed to take full advantage of them. While urban planning seems much stronger and more resistant in Serbia's risk society, spatial planning is far more fragile maybe because the

lack of advantages the other one has: lower stakes, longer tradition, higher number of workers and engagements².

Hence, the unique instruction for leading the spatial development of the country as whole and elaborating spatial plans of lower tiers is the Spatial Plan of Republic of Serbia, voted in 2010. But even though the Republic Agency for Spatial Planning along with respectable number of planning experts created the Programme for Implementation of National Spatial Plan there is still no political will or pressure from planners to really adopt this document and continue the process. It just may be that this process is waiting for the Kosovo and Metohia resolution to definitely mark the borders of the territory that the Plan should regard. This is unfortunate for at least two reasons; first, Serbia's political elite is deliberately postponing the decision on proposed status in order to gain more time to change its position in negotiations, and second is actually a question: who really thinks that in any case scenario (supervised independence or supervised autonomy), Belgrade will really have the right to make strategic decisions about spatial development of Kosovo and Metohia as a part of its territory. In any case, Serbia should as soon as possible gather the strength and the will to create valid and updated long-term development strategy together with sector policies at the national level to steer the economic and overall societal development and offer a relevant framework for the policies and plans of lower levels.

Going down from national level of planning which lacks the system of general strategic policies, we are coming to the void presented in undeveloped regional level. Except the Regional Spatial Plan of Belgrade's Administrative Area, even though they were anticipated in the Law, no other regional spatial plan was made without serious problems. The matter of regionalization which was announced as one of the main topic of the new Constitution slipped from its contents when it was presented and adopted at the end of 2006. Again, there was no strength to deal with such a political issue. Serbia according to the Constitution has two Autonomous Regions (Pokrainas) Voivodina and Kosovo and Metohia. Their institutions have the authority over Region's spatial planning. Also, the Constitution allows the creation of more of these autonomous regions if it is the will of their citizens expressed on a referendum. It is lately that Serbia will not have regional institutions authorised and responsible for regional spatial development and planning for a long time, since the existing counties, at least for now, are as far from building them as these possible but nonexistent autonomous regions. There is however, a type of plans that stands between national and local level and which is being produced - these are the spatial plans for areas of special use. Most of them are concerning the areas of protected nature, water accumulations, basins of lignite and infrastructure corridors. Unfortunately, these along with some other regional policies which are appearing now consist of *ad hoc* measures expected to solve only urgent problems or to justify already made decisions on capital investments. They are being carried out in retroactive and non-coordinated manner, without adequate research provided and financial but even more so, organizational and institutional planning support for their implementation.

Local (municipal) spatial plans, together with spatial plans for areas of special use, are being produced more than ever. Accordingly to the current Law, these plans

² See: Nedović-Budić, Z., Djordjević, D., Dabović, T. (2011). The Mornings after...Serbian Spatial Planning Legislation in Context. *European Planning Studies*, 19(3), 429 — 455.

determine the starting point, the spatial development objectives and land use, organization and protection rules of the planning area. In theory, the number of municipal spatial plans and general plans for municipal centres, both sorts having strategic developmental aspirations can climb up to 189 each. For now they are unique wheals that are turning in Serbia's planning and the main source of our planners' existence. They are accommodating the quantitative development of planning in Serbia but most of them are not showing any shift in methodology which would enable the planning to respond quickly to changes occurring in all societal domains but foremost in the economic sphere. They are backed up by poorly assessed economic and social needs development analyses (sometimes even badly assessed spatial dimension), so that they come down to the physical/geographic definition of the often illusory planning objectives, solutions and propositions. Without applying integrative planning method, more ex post and ex continuo instead of prevailing ex ante evaluation these plans will hardly contribute to quality improvement or more importantly to a prosperous development of the planning area. There lays the chief indifference of the authorities and citizens to participate in elaboration of such plans, let alone be guided by them. The current planning practice is therefore, predominantly planners' centred; implying that it is the planner who identifies the problems and seeks for planning alternatives. There is little or no room for different interests and ideas, intersectoral coordination and synchronization or partnership between public and private actors. Consequently, there is hardly any room for various stakeholders and shareholders to take part in the planning process and the ensuing implementation phase. Stojkov, Subotic, Djordjevic (2004) are characterizing such a system of spatial planning as:

- More or less developed spatial-geographical environmental system of criteria, i.e. a way of thinking on the spatial conditions for locating networks and development; Certain crucial mistakes of planners, which we encounter from time to time still do not discredit this planning dimension;
- Utterly undeveloped and inadequately established assessment and evaluation system of the financial-economic feasibility of planned solutions and an even more serious problem of the complete lack of an passable economic development strategy, without which the spatial plan is placed in an unreal economic space and time;
- Not of lesser significance is the social system development out of which should derive the idea on the needs, values and goals of a social community for which we make plans. This system, as yet, has been subjected to a mere improvisation in plans (urbanisation, housing, renewal, public services, special assets);

How can we explain this failure of spatial planning and which are the pillars we should build to make it more developed and more stable for turbulent times that could come in the future?

4. CONCLUDING REMARKS

Uncertainty is the only thing we can count on in Serbia nowadays. It seems that never-ending transition and predomination of neoliberal concept in both economical and social issues is still leaning our planning against the wall. Moreover, nothing is clean

from the planners' point of view: who are the main players and referees, which are the rules of the planning game and even where the playground boundaries are. Planning has always been a kind of calculated risk, but here and now it seems like it is just pure and simple risk. The situation is critical on all levels, from national straight to local, due to the absence of the regional level. Most of the planning institutions adhere to a traditional rigid planning model, which is deterministic, inflexible, with fixed land use regulations. The planning system is predominantly planners' centred, implying that it is the planner who identifies the problems and seeks for planning alternatives rooted exclusively in rational methods and objective determinants. There is little, or no room for different interests and ideas and consequently, hardly any room for various stakeholders and shareholders to take part in the planning process and the ensuing implementation phase.

With the transition, planning was supposed to mitigate the negative effects of the new player - market to the public interest. But, seems like our planning didn't find the mechanisms to mitigate those effects created by the market inside it. Planning institutions in pre-transition period were exclusively in public sector. We now have on one side, some big planning institution, partially financed from the state's budget usually with the monopoly over elaboration of one group of plans and on the other side, smaller ones which are being privatized. Both are thrown to the market and are trying to acquire as much engagements as possible in order to secure enough financing. They are producing more plans for less money in a shorter period of time. As a result, these former public agents diverted by the new hostile conditions given by undeveloped market and neo-liberal environment are still presenting traditional rigid planning model, deterministic and inflexible, with fixed land use parameters and regulations. Seems like the turbulent times in which the most important task is to survive didn't give them a chance to develop and to introduce more innovative and novel models in view of participative, strategic and action plan oriented planning.

The other problem lays in insufficient recognition of importance and purpose of planning among politicians and the lack of persuading voices and pressure coming from the profession, as well as in the loss of its legitimacy. To illustrate the confusion and neglect politicians express when planning is concerned we are informing that spatial planning was situated first under the Ministry of Capital Investments, after that Ministry of Infrastructure and now under the Ministry of Environment, Mining and Spatial Planning.

Democratic and economic reforms are not only critical to an overall successful transformation in Serbia, but also inextricably linked to achieving successes in each reform area which also includes planning. Democratic processes are an essential component of Serbia's economic growth and stability, and economic growth is essential to create the conditions for a continuing stable democracy. Reform in the social sector is also necessary in order to secure their better performance. When Serbia as a whole ensures safer environment it is certain that our planning will be able to redefine its priorities and to concentrate on the development of coherent theoretical and methodological framework as a main goal. On that path, following the stable democratic course of the country, planning has the chance to:

- advance the normative-institutional framework,

- make the new generation of national policies which would enforce the overall system of governance and harmonize the work of ministries and other planning institutions at the national tier,
- concretise and operationalize concepts of sustainable socioeconomic, spatial and urban development,
- define clear criteria and indicators to measure the achievements of plans,
- research for defining future alternative development scenarios,
- evaluate the expected short and mid term investment projects and programmes from the standpoint of the long term development needs,
- elaborate and put into operation the up-dated system of techniques and mechanisms which enable a more efficient and reliable development governance.

After showing some positive results in solving these tasks, but continuing to solve them, it is essential to establish some coalition for planning and enhance its legitimacy. So, expert and political forums, but more importantly development of education and training system not only for professionals but also for governmental officials and citizens, will be a step forward in learning planning and learning how to plan and communicate with various stakeholders, understand and articulate their interests in order to advance the relationship between them. This can give more appropriate meaning and contents to integrative approach, sustainability, subsidiarity, efficiency, cooperation, communication, coordination and networks which are currently recognized as empty concepts in our planning.

Hopefully, the system will be strong and stable enough not to collapse again in case of another “earthquake” and able to continue due to inertia with the fewest casualties possible.

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