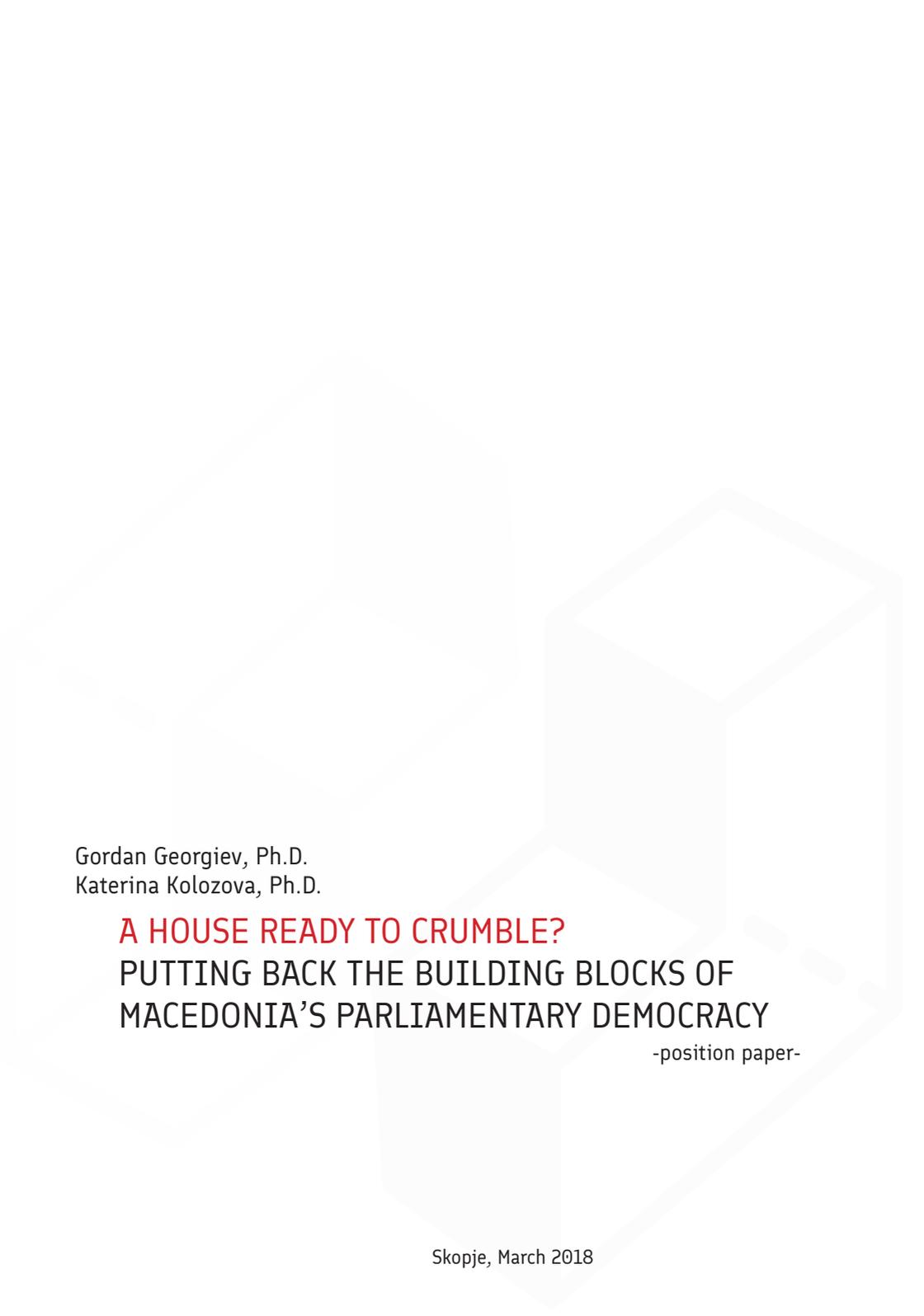


**A HOUSE READY TO CRUMBLE? PUTTING
BACK THE BUILDING BLOCKS OF
MACEDONIA'S PARLIAMENTARY DEMOCRACY**



Gordan Georgiev, Ph.D.
Katerina Kolozova, Ph.D.

A HOUSE READY TO CRUMBLE?
PUTTING BACK THE BUILDING BLOCKS OF
MACEDONIA'S PARLIAMENTARY DEMOCRACY

-position paper-

Skopje, March 2018

EXECUTIVE SUMMARY

Prior to the “captured state”, a tag that Republic of Macedonia received amidst the prevalent non democratic practices of Nikola Gruevski’s Government, the state was already *captured* by a tacit consensus between country’s major political parties regarding the architecture of the political system. Namely, Republic of Macedonia has an electoral system that favours the big four (the two dominantly ethnic Macedonian parties + and the two ethnic Albanian parties), garnished with a variety of small ethnic-based and/or issue-based parties predestined to enter big pre-electoral coalitions, a proportional closed-list electoral model with six electoral districts, and an extremely strong allegiance of MPs to the parties’ headquarters.

The results of such a tacit consensus proved devastating for Macedonia’s parliamentary democracy, creating extremely strong political parties, weak MPs, and permanent parliamentary crises with quasi regular parliamentary boycotts. The locus of power was to be moved away from the Parliament to the semi-official party leadership meetings, whereas the parliament itself has become subjected to the predominant control of the executive branch (the Government) over the parliamentary majority and virtually nonexistent endogenous debate at the parliament’s plenary sessions or in the committees.

Rather than tackling the day to day crises of the parliament’s functioning, we propose a debate on the structural predispositions for forging a consensual model that could sustainably resolve (and not only fix) the virtually permanent parliamentary blockade and bring the parliament at the forefront of the democratic deliberation and promote it as an efficient check of the executive branch.

This position paper gives several hints on the possible sustainable solutions, provided they are tackled simultaneously. These solutions consist of strengthening and enhancing political parties’ internal democratic procedures (which are difficult to tackle, and yet there are some positive, promising prospects announced both by VMRO-DPMNE and SDSM), slight but substantial change of the country’s electoral system (we propose a proportional closed-list representation with one electoral district and no threshold for the entry into the parliament, a model that was announced by the now ruling SDSM party), and strengthening MPs’ individual capacity for deliberation by increasing the oversight role of the parliament and a greater citizens’ role (civil society organizations and individuals) in co-devising public policies with the parliament.

Naturally, past experience teaches us that we should be extremely cautious about the realistic prospects of such major developments regarding the country’s political structure and its electoral model. Nevertheless, the current parliamentary deadlock

(and the future ones to come on the horizon) give merit to the thesis that it is better to open a thorough debate sooner than later, rather than just to perpetually fix the small holes in the House ready to crumble.

INTRODUCTION

It is March 2018. Republic of Macedonia, less than a year from the April 27th dramatic events in the parliament, is slowly limping towards democracy. Stakes are really still high, and the structure of the democratic system that trying to (re)establish itself at this point is still shaky at best. However, every downfall invites hopes as the society – or, for that matter, every society – is prone to the superstitious belief that every crisis must have a purpose and something new and better should arise from it. Sadly, that is not always the truth.

Surely, there was no consensus in the past about the very foundations of the Macedonian parliamentary democracy. On the contrary, there seems to have existed a tacit consensus between the major political actors (until a year ago these were the two dominant ethnic Macedonian parties plus the two dominant ethnic Albanian parties) of favoring the systemic barriers that discouraged other political actors' entrance in the political field. This tacit consensus was mirrored in the electoral system, further nurtured by the non-official “leaders' meetings” (a tradition that found its climax in the Przino negotiations), and by a no-friendly-fire approach regarding the financing of the political parties and the intra-party democratic procedures.

If there was no consensus in the past, we might attempt to fashion certain contours of a possible, albeit involuntary, consent between the political parties about some basic aspects of the democratic system: pluralism, debate, competition of ideas, and, in short, the understanding that one must debate and confront one's opponent through argumentation.

Some of the reasons behind this reluctant optimism lie elsewhere. Namely, the country is currently experiencing a rather low political legitimacy of parties' leaders although for different reasons. This is the case for Zoran Zaev, Hristijan Mickovski and Ali Ahmeti. A public that is overwhelmed with high expectations from the political process and is radically disillusioned in the same time (however contradictory this might seem) faces an increased interest for the country's perspectives by the so-called international community (a community now “enlarged” by the Russian vested interest in the region). There is no other means to tackle the complexities thus presented but by way of systemically strengthening the role of the Parliament and the role of the MP.

All in all, it is a matter of the context the Macedonian citizens are currently living in. In our opinion, the context seems to be favorable in pushing the major political parties toward acceptance that their excessive powers that result into a virtually omnipotent executive branch need to be reduced for the benefit of another type of a social and political contract with the citizens.

If done correctly and in a concerted fashion, the following proposals should improve the Macedonian damaged democratic tissue:

- Bringing back the Parliament as the cornerstone of democratic deliberation and a means of functional checking of the executive branch;
- Inducing cross-party and cross-citizens appeal for more intra-party democracy in the major political parties;
- Introducing slight changes in the electoral system with the aim to unchain the toxic pre-electoral coalitions, thereby enabling the small issue-based and/or minority based political entities to enter in the political arena;
- Empowering MPs vis-à-vis the executive branch, including the strengthening of Parliament's oversight function and bringing citizens and civil organizations to effectively co-devise public policies.

The current ruling party has openly made most of these pledges during the 2016 election campaign. Many citizens carefully listened and cast their votes. The current (and every other) opposition should be happy with the prospects of the once given promises by SDSM for electoral system changes becoming a fact and should push for such changes with its own bit of ideas contributing to such goal.

- **The predominant role of the Government.** Albeit constituted as a parliamentary democracy, the political history of the Republic of Macedonia shows an overwhelmingly predominant role of the Government in devising and shaping the political and legislature environment. The country, in its relatively short democratic experience, failed to make the Parliament a cornerstone of the democratic processes. On the contrary, one could say that over the course of the years, the Parliament (i.e. parliamentary majority) saw its function gradually diminished and becoming almost completely subservient to the political will of the Government. The apex of the persistent parliamentary crisis came on 24 December 2012, when all opposition MPs, on the occasion of the adoption of the annual budget, were brutally removed from the parliamentary session by an intervention of the secret police and the special police forces. This context could presuppose a sort of illiberal democracy with weak checks and balances. The President of the Republic, although elected by direct vote, is destitute of real powers and is perceived as a side-lined figure in Macedonian politics.

The predominant role of the Government is tightly related to the relations between business and politics. Namely, when most of the power is concentrated in the hands of the Government (and the Prime Minister), the potential entry points for one to engage into politics could be directly related and dependant on the decisions made by the PM and a small group of executives (highly ranked party officials at the same time) or invariably around the chief of the biggest opposition party, who is nominally the aspirant to become the next PM.

As in many post-communist countries, the transition period and the process of privatisation have witnessed the emergence of business oligarchs who were able to control a large portion of the financial flows in the country, thus securing a privileged position in the distribution of business and political influence. These businessmen-oligarchs were crucial in giving or not giving their support to the political elites. Basically, whenever there was a change of the political elites in the Government, the largest companies were almost by default side-lining with the (new) Government, thus creating a sort of “incestuous” link between the ruling political parties and the business.

Since 2006, when VMRO-DPMNE took the power, the country has witnessed a nearly total encroachment of the Government upon the business sector, thereby making the government and the pro-government businessmen the biggest employers in the country and the ones who control virtually every segment of the economy.

Another indicator is the financial condition of the political parties in opposition. Namely, on the one hand, the bigger opposition parties struggle with finances and donation because most of the donors/businessmen are reluctant or afraid to donate funds due to the fear from Government retaliation. On the other hand, smaller parties have a stark choice: either to side with the ruling coalition or to perish from the political scene.

- **Political parties’ internal procedures.** The above mentioned type of perverted political system is again tightly connected to the types and practices of political parties in the country. Macedonian political parties show strong autocratic tendencies, in which the leader and the highest ranked party clique firmly control the circulation of party elites. The party system is extremely fragmented. As of 2008, there were 83 registered political parties.¹ Most of these political parties have never been represented in the Parliament, and many of them were established as offsprings of bigger political parties. A study conducted in 2007 on the level of internal party democracy (IPD) of political parties in the region of South Eastern Europe demon-

¹ The exact number of political parties is not certain, since many of the parties struggle to gather the required 1000 signatures for re-registration and the official register of political parties does not always accurately state the number.

strates that the internal party procedures, the loyalty of the party members (i.e. clientelism) and the nexus business-political party are the most resilient elements that prevent parties to liberalize the barriers to entry into politics or the emergence of other relevant political actors.

The index shown below calculates a sum of six individual components on the basis of which a scale from 6 to 18 can be constructed, where the higher level indicates a higher degree of Internal Party Democracy.²

- 1. Rights of party members.** The score indices given for this component have the following meaning: 1 = party members are excluded for opinions different from the party official positions, 2 = right to free expression of opinions, which are not subject to any sanctioning whatsoever, 3 = the functioning of party fractions is officially permitted.
- 2. Nominations of candidates for public offices.** This component aims at establishing the level of control that a party exercises over this process. The indices assigned along the scale from 1 to 3 depend on the party authority, which nominates and determines the candidates for members of parliament in principle: 1 = by the national party leadership, 2 = by a regional party forum, 3 = at primaries conducted by the political leadership of the party.
- 3. Way of electing the party leader.** 1 = by the political leadership, 2 = at the representative party forum, 3 = at primaries held by the political leadership.
- 4. Autonomy of the local party bodies.** 1 = the local leadership is nominated by the national party leadership, 2 = the local party bodies have limited political and organizational autonomy, 3 = the local party bodies have a substantial degree of political and organizational autonomy.
- 5. Opportunity for the party members to take part in the formation of the party policy.** 1 = the party policy is formulated by the central leadership and the higher party elite (1 = the lowest degree of participation), 2 = the policy of the party is subject to broad discussions in all party structures, 3 = the policy of the party is shaped from the bottom up (3 = the highest degree of participation).
- 6. Horizontal structures, which assist the functioning of the party and its activities.** 1 = lack of autonomous horizontal structures, 2 = autonomous horizontal structures exist only superficially and they have no significant impact on the party activities, 3 = the horizontal structures play a large role in the activities of the party and help shape its policy.

² See Gordan Georgiev in "Reshaping the broken image of the political parties in SEE", ed. by Georgi Karasimeonov, GorexPress 2007

IPD parameters	VMRO-DPMNE	SDSM	BDI/DUI	DPA	NSDP	VMRO-NP
Party members' rights	1	2	2	2	3	2
Nomination of candidates for public offices	1	2 ³	1	1	2	1
Way of electing the party leader	2	2	1	1	2	1
Autonomy of the local party structures	1	3	2	2	2	1
Formation of the party policy	1	2	2	2	2	1
Role of horizontal structures	2	2	2	2	2	1
Total result	8	13	10	10	13	7

The results show that the process of selecting party and Government officials is highly centralized and lower party structures (regional, local, youth and women) have little influence over the process. The feature that is not shown in the table is the non-negligible role of big business interest in influencing the political parties' policies and decisions.

- **Electoral models and cost of politics.** The electoral model in Macedonia indirectly strengthened the tendencies of monopolization of the political process by the 4 biggest political parties in the country. After couple of electoral “experiments” throughout the 1990s, the country’s electoral model seems to be stabilised into a pure proportional model, with six districts and no threshold. Apart from its political imperatives (better representation of the minorities, better access into politics for small ethnic-based and/or issue-based parties), the proportional electoral system brought somewhat unexpected consequences. Additionally, the electoral model Macedonia employs is also deeply related to the previous description of the political system.

³ Candidates are nominated by the local organizations and confirmed by the Congress, consisted of representatives of various level of party organization.

Electoral systems are sets of rules that specify the types of votes that citizens may cast and how those votes are translated into seats for the chosen legislative candidates. The main consequences of the electoral systems can be divided into two types: interparty and intraparty. The interparty consequences of the electoral systems include the proportionality of election results and the degree to which elections promote bi-partism or fragmentation in the party system. Since the stability of the legislative majorities and the ability of electorates to hold legislative majorities accountable for their performance tend to be inversely related to the fragmentation in the legislature, these interparty consequences entail a trade off, with legislative representativeness set against stable and accountable majorities. Generally, it is assumed that the majority electoral model (first-past-the-post) produces a bipartisan political system (the UK model is the most notable example) while the proportional model induces more fragmented system in which small parties relatively easily get parliamentary seats.

Therefore, it might be surprising that the Macedonian case deviates from the common understanding of the fragmentation of the party system. The persistence of bipartisan politics throughout the years and through different electoral models, guides us to search for the origins of this “deviation” elsewhere. The somewhat peculiar six-districts pure proportional model (devised to satisfy ethnic minorities’ demands), on one hand simulates a quasi-majority model (indirectly raising the threshold for elected MPs) and, on the other hand, it still puts the predominance of the party elite in making the electoral lists (as in a typical proportional system). This system actually helped the preservation of the bipartisanship politics and constituted a barrier for smaller parties to act independently and present their own lists. Moreover, small parties are now forced to join big coalitions and bargain with the big parties if they want to make it to the parliament. To put in the words of an MP and a leader of a small political party:

*“Small issue-based parties have no chance to get any MP under this electoral model. The big four made a conscious deal to prevent any other party to claim parliamentary seats unless they join the pre-electoral coalitions. And joining such a coalition entails big sacrifices for us, either in programmatic or financial terms”.*⁴

It is therefore not a surprise that the few past “third way” initiatives, besides their initial success, turn out to be a complete failure. Finally, a telling example is the fact that few politicians/businessmen became owners of national TV stations (SITEL, KANAL 5), thus raising their price in the political

⁴ The MP wanted to remain anonymous.

market and taking part in virtually every ruling coalition. By these political transfers, these politicians/businessmen got MP seats and big parties got the influence over their TV stations. This clearly represents a source of corruption practices. A member of Transparency International Macedonia puts this in a succinct way:

*“Owners of big private TV stations understood that, through their political activities, they can have the mercy of the governing officials, and even get richer through large government advertising activities. Ruling parties know perfectly well that these businessmen’s political parties do not contribute with votes at all, but the gain from their TVs’ political influence is enormous. It’s a perfect trade off for both sides”.*⁵

By contrast, the intraparty consequences of the electoral systems involve the degree to which rules foster intra-party electoral competition (in general elections) and/or help lead candidates devote more energy to developing ties with their electorates instead of their party leadership (or vice versa). Roughly put, these consequences originate from the importance of parties or candidates in a voter’s decision of how to vote. In party-promoting systems, voters are empowered to select between (but not within) lists of candidates fielded by parties. Here, the voting decision has little to do with the individual candidates who make up the party lists and much more to do with the differences between party platforms. A telling indicator of this is the pervasiveness of the actual lists (with candidates’ names): they seldom appear on voters’ ballots and they are not widely advertised or circulated before the election. In contrast, in the more „candidate-centered“ systems, voters are not only empowered to select among individual candidates, but they can often select among candidates of the same political party. This, of course, makes the voting decision much more dependent on the reputations, accomplishments, and personalities of the individual candidates.

One of the intraparty consequences to merge from this party-versus-candidate distinction is party cohesiveness: more candidate-centeredness means less party cohesiveness, and also a diminishment in the utility of party labels and the ability of voters to hold parties collectively accountable. Further afield, the distinction affects policymaking and the nature of the activities that legislators will pursue in order to seek re-election. For example, candidate-centeredness motivates particularistic and pork-laden policies because these allow legislators to claim credit for local goods. As a result, we may see more particularism and fewer public goods the more the electoral system promotes candidate-centred elections. Macedonian political elite

⁵ Interview with Mr. Saso Ordanoski, political analyst and member of TI Macedonia

across the political spectrum consensually chose to adopt the party-centred model, giving the parties' leaders and parties' headquarters a decisive role in creating the electoral lists and leaving little space for intra-party democracy.

“People in small towns and villages do not care who is the candidate, what are his/her accomplishments, moral or ideological virtues. They only care what is the party label behind the candidate, since people’s local connections and expectations (obtaining a job, better position in the local administration or local business improvement) are directly related to which party will be the overall winner, and not which candidate will get parliamentary seat.”⁶

- **Deviation of the “no threshold” rule.** In Macedonia, a clear pattern could be established in the sense of circumventing the benefits of the proportional system (large coalitions, more small parties, ideological diversification etc.) by forging big pre-electoral coalitions in which small parties have little say and little prospect of voicing out their concerns. The result is that smaller parties rarely leave the coalition and almost regularly abide to the decisions of the senior political party.

Another feature of the Macedonian electoral model is the negligible importance of the no-threshold rule. It is expected that no-threshold systems encourage small parties to go alone in the elections. In fact, assuming the six-district model, the “real” threshold in Macedonian elections is around 7000-8000 votes per district in order for a candidate to become MP. For example, in the 2011 parliamentary elections, VMRO NP (a small right wing party) got 30 thousand votes countrywide but they did not get any MP since the votes were spread all over the country and not concentrated in one or two districts. Had it been a pure proportional, no threshold, one district model, VMRO NP would have gotten at least 3-4 MPs. This system discourages small parties to go alone to the elections, instead it encourages them to be in a coalition where they have one or two seats guaranteed.

The establishment of the current proportional model was a political decision to soothe the demands of the ethnic Albanians community and it is commonly used in consensual democracies. The political rationale behind the proportional model is that the MPs are accountable to the whole (or large part of the) electorate and not only to their constituencies. Proportional systems should therefore maximise the *political inclusiveness* of the system, which may be a stabilizing factor, in that it will keep diverse sets of actors satisfied by offering them a fair chance to compete. And although

⁶ Interview with a local political commentator (anonymous)

its deficiencies are quite obvious, it is unlikely that this model will change in near future.

All the same, the evidence from Macedonia suggests that cohesive ethnic parties (i.e. ethnic Albanian parties) are able to mobilise support through either electoral mechanism. There is a logical reason for this: in as much as their support is geographically concentrated, they ought to be able to win approximately the proportion of single-member seats in parliament as is their share of the population. For them, the majority system functions in much the same way as the proportional system, so long as they are not affected on the list vote by high threshold requirements. In Macedonia the minorities make up a large enough share of the population that this does not constitute a problem.

