

Consociational Democracy Versus Majoritarian Democracy: The Case Of North Macedonia – A Theoretical Perspective

Prof. Dr. Qashif Bakiu¹

¹University of Tetova, Republic of North Macedonia, qashif.bakiu@unite.edu.mk

Corresponding Author : Dr. Qashif Bakiu. E-mail: qashif.bakiu@unite.edu.mk



Abstract: In the scientific work "Consociational democracy versus majority democracy - Case study North Macedonia" we present a comparative analysis between these two models of democracy. Consociational democracy as a model is expressed in the state with population heterogeneity based on ethnic, religious, linguistic, racial or other forms. In practice, it appears mainly after tensions or conflicts, as a high form of representation in all segments of power.

Since 2002, the model of majority democracy functioned in the Republic of North Macedonia, while after the constitutional changes of the same year, the construction of a consociative model began, we extend the analysis to the normative level, to the level of functionality, to the level of problems that appear in the transition period between the two models, as well as in terms of the benefits and losses of the communities and the state itself.

In this paper, the functioning of state bodies in both relevant models of democracy will be addressed, determining their degree of functionality.

In the paper we will present concrete results based on quantitative and qualitative data.

Keyword: Consociational democracy, majoritarian democracy, human rights, communities, heterogeneity, constitution, law, state etc.

Introduction

The theory of consociational democracy was introduced into political science by the well-known Dutch scientist Arendt Lijphart with his work "Democracy in plural societies - A comparative exploration". Based on sociological analysis, the author objectively shows the different types of pluralistic societies in the modern world.

The main reason for this is the lack of homogeneity of the population in relation to ethnic and religious affiliation, as well as linguistic and cultural differences. These differences, which are objectively inherent in these societies, create social divisions and political contradictions. In heterogeneous societies, under the influence of ethnic, religious, cultural and linguistic differences, separate groups are created within them, among which each of them tries to preserve its own characteristics. Due to the division on the respective bases, these groups live next to each other, but differentiated within the general political unit. This type of society represents pluralistic societies.¹

The common defining sign of pluralistic societies is the presence of internal heterogeneity expressed in an appropriate organizational form.

¹ A. Lijphart, Democracy in plural societies; 1977

The reasons for the differences may be religious, (Northern Ireland, Lebanon); ethnic (Cyprus, Macedonia); cultural (Canada); language (Switzerland) etc. To a lesser or greater degree, these differences are present in many countries. However, in order to achieve an organized pluralistic society, it is necessary for the connected communities to be recognized as bearers of differences, to be accepted - to be considered as belonging to a certain group - "familia spiritus" which is politically organized in political parties or political movement. The pluralistic society is structured by those political organizations, each of which protects the specific interests of its members.

The Republic of North Macedonia represents a typical plural society. Divisions on ethnic, religious, cultural, linguistic, and even racial grounds are present and intertwined in various combinations. This condition, to a certain degree, contributes to the fact that the segments, despite the fact that they are next to each other, live in separate societies.

Ethnic segments

The structure in the Republic of Macedonia is very ethnic. Officially, over 54. 21 percent of the Macedonian population lives there, while over 29.52 percent of the Albanian population (this number is always accepted with reservations by the Albanian community as it is claimed to be much larger, respectively over 30 percent), about 3.98 percent Turkish, 2.34 Serbian, 0.44 Vlach, 0.87 Bosnian etc. As it was emphasized above, ethnic communities do not live in homogeneous centers, while the population in most of the territory, respectively in settlements, is mixed. This mix becomes even more complex when we consider that some of the ethnic communities have affiliations of two or more religions.

Ethnic communities are highly fragmented. If religious differences between them are added, they have no meeting point between them. The degree of social separation can be seen from the low rate (more precisely, the non-existent rate) of marriages between members of the segments. The segments have different schools, while in cases where the educational base is common, they teach in different rooms or the school facilities are separate. Even against physical separation there is high tension, which often turns into massive physical clashes.

The segments also have various sports, cultural and recreational clubs. The division of segments is most often reflected at the individual level. Similar to the case of Northern Ireland, the individual who accepts the political decision (choice) of the other segment is accepted by his party as someone who has accepted the ethnicity or religion of the other segment, which in this case is worse than meeting with true to the other community.

If, even against the objective heterogeneity, the different social groups are not organized politically, then we are not dealing with a plural society. The Republic of Macedonia is an example of a pluralistic society. On the one hand, as we emphasized, the population contains different ethnic communities, accepted and defined by the Constitution. On the other hand, every single ethnic community, again according to the Constitution, has the right to organize into a political party. Therefore, on the organizational level, based on the Constitution, a pluralist political system has been organized. For this reason, in Macedonia, there are prerequisites to apply the consociationalism democracy model.

Among the forms analyzed, which I estimate are not feasible, and the existing form which is shown to be ineffective, constitutional and social engineering mechanisms are required to ensure stable democracy. The answer to this stable democracy is proposed with the consociationalism democracy model. "It is about a model of the political system, based on cooperation and harmony.

The goal of consociational democracy is to provide opportunities for participation in the leadership of the state of different social communities, through their political organizations. Unlike traditional elections for federation or autonomy, consociational democracy does not require changes in state regulation. The aim is to ensure democratic leadership with the participation of different communities in the unitary state.

Achieving consensus in states that practice the "majority democracy" model has no guarantee, and this remains in the good will of the elites, respectively political leaders. This model does not define consensus as a need, because such a thing is not legally

incorporated. For this reason, in countries with a heterogeneous population structure, this model does not produce stability, because it does not guarantee the inclusion of communities, which in most cases are segmented to a certain degree.²

The principle of consensus as a basis for leadership (governance) of a society is expressed in consociative democracies (consociative democracies).

The goal of the introduction of consociational democracy is political stability, institutional functionality and the achievement of the loyalty of all segments of the plural society in the Republic of Macedonia. With this, in addition to minimizing discrimination on ethnic, religious, cultural and linguistic grounds, but also on other grounds, the tendency of separation or conflicts between segments, which very often reach a high degree of risk, will be limited. This would avoid the risk of the tyranny of the majority, but also the counter-effects that appear.

North Macedonia and consociational democracy

Consociational democracy is a very broad concept. Concretely, for the Republic of North Macedonia, a variant must be built - consociation, which will be based entirely on the main consociational principles.. as another basis, existing indicators and risk factors will have to be used, and that apart from the two communities ethnic keys, even in other smaller ones. At the same time, the variant should be based on the forms applied in other countries with similar characteristics.

In this analysis, structural and territorial parameters have been taken into account in relation to the population, and through the comparative political analysis, alternative conclusions will be proposed for a functional system, which will respond to the social characteristics.

According to Lijphart's theory, the formation and operation of consociational democracy is determined by several factors:

- a. broad (grand) coalition
- b. veto
- c. proportional representation of communities in power bodies
- d. autonomy (independence) of communities

With the constitutional changes, which came as a result of the Ohrid Framework Agreement, the model of state governance in the Republic of Macedonia was changed. This model formally leans towards consociationalism democracy, but in practice it continues to function to a high degree as majority democracy. The reason for this is the modifications that have been made in the main parts of the Ohrid Agreement, in terms of the use of the Albanian language as an official language, the proportional representation of communities, especially Albanians in the bodies of power (incorrect presentation of data from state power), the non-functional concept of decentralization, the non-functioning of the ethnic veto, the unfair distribution of public funds and state investments, etc.

Of the mentioned elements of consociationalism democracy in the political system of the Republic of Macedonia, the limited intermediate veto and the proportional representation of communities in the power bodies are formally and partially functioning, while the extended coalition is not part of the system.

"Consocial democracy (consociative - consociational) can be defined as a political system in which political decisions are made by a 'broad coalition' of political leaders (leaders of political parties - political elites), who represent the segmented communities in society".³

² Г. Силјановска – Давкова; Идеолошкиот профил на политичките партии во Република Македонија; Зборник на Правниот факултет „Јустиниан Први“; Универзитет „Св. Кирил и Методи“, Скопје, 2010, f. 318

³ Л. Д. Фрчковски; Теории за демократијата; Скопје, 1992; стр. 187.

Consociationalism democracy requires a broader approach of political actors, who represent segmented communities. When we talk about access, this means participation in decision-making or co-governance, also implying the sharing of responsibilities. With this first condition, this concept requires the creation of an inclusive and representative political environment. This means that all the main groups (communities) must be represented in the state government, which means power sharing or power sharing - what is known in contemporary political science as "power sharing". With this, a whole is created with the representation in power, at the same time, the main precondition (premise) is created for reaching an agreement on the issues that are presented as problematic. The consociationalism model requires the cooperation (cooperation) of political leaders, who must be prepared for making big decisions - consensual, which can be partly harmful to their community (concessions are always made (in the sense of compromise from the first positions for the most sensitive issues for both communities). With the very fact of the participation of community leaders - elites, during decision-making, to a large extent these decisions become acceptable to the communities.

Above all, large (large) coalitions are a means of creating political stability, which is a prerequisite for the development of political processes. "The existence of the broad collision of political elites is found in two cases: firstly, when it comes to great homogeneity in views on values for politics and social structure in communities, in which it is irrelevant which party dominates, while the legitimacy of power is strengthened with the joint participation of all political subjects. In the second case, such a coalition appears in extremely segmented communities, in which the participation of segments (communities) is the main way to preserve the legitimacy and legality of joint political institutions". In societies in which this model is applied, there is a permanent crisis, which very often leads to the need for legitimization of political decisions. However, there are opinions that the creation of broad coalitions is only a formal phenomenon, and that the most important factor is the willingness to reach consensus, which is not always directly related to institutionalized cooperation.⁴ Lijphart defines this condition as the most important for the existence and functioning of consociationalism democracy.

the issue of the broad coalition in the Republic of Macedonia is not legally regulated and the same is reduced to the election of the government representative. According to this, the winner of the elections in the Macedonian political bloc determines whether he will make a coalition with any of the Albanian parties, respectively with which of them. This legally unregulated issue of consociationalism functioning gives the Macedonian winner the opportunity to choose as a coalition partner the party that did not win the elections in the Albanian political bloc. In this case, the will of the Albanian community is not respected and the principle of the coalition of winners in the different communities is violated.

It should be emphasized that the Albanian community has been represented in all governments since the first pluralist political elections in independent Macedonia. However, this representation does not represent the tendency of the principle of fair (adequate) representation or proportional representation. The participation of Albanians was the result of pressure from external diplomatic factors, as well as the result of mathematical coalitions to achieve the majority. This happens because the party system is maximally polarized in the Macedonian bloc, while the votes of the Albanians representatives in the legislative body in almost all cases have been decisive for reaching the necessary number for government elections.

For the Republic of Macedonia, the model with a broad coalition would have worked in two ways: with a general broad coalition - a collision between two Macedonian political parties, as well as the two largest Albanian parties, or with a simple broad coalition between one party from the Macedonian political parties - the party or coalition that will win the elections, together with the Albanian party (coalition) that will win the elections in the Albanian bloc.

A new consociational variant

The best option is a combined option, which means a broad coalition in one mandate and a simple coalition in the future. This variant means participation in the broad coalition of four political parties - coalitions in a mandate of four years. In this mandate,

⁴ С. Климовски, Т. Каракамишева, Р. Дескоска; Политички систем; II издание; 2009 год; с. 142

solutions should be found for the most important problems affecting the state. This would mean that in this mandate the foundations of consociationalism democracy would have to be built.

First of all, the mechanisms of the functioning of consociationalism democracy will have to be found, namely the ways of consociation functioning. This also tightens the definition of state functions in relation to the segments. In this period of time, the model of consociationalism functioning of the three powers must be built: legislative, executive and judicial, as well as the consociationalism division of the leaders of these three powers.

The consociationalism functioning of the legislative power has a great and special importance for this model of democracy. From the analyzes made for this study, we have come to the conclusion that the future governing coalition should be composed of the winning parties in the two largest ethnic communities, respectively the Macedonian party (coalition) and the Albanian party, including the smaller communities as well. ethnic groups, which usually gravitate towards partnership - coalition with parties from larger communities, more often with Macedonian ones and less often with Albanian ones.

a. The first step for the functioning of consociationalism democracy should be the voting of the government with a double majority - with a majority of votes from two segments, including the smaller communities: in addition to the majority from the Macedonian political block, there must also be the support of the majority from the Albanian community and other smaller communities.

An important condition is the way community representatives are elected in the legislative body. We believe that the best way for this is the proportional model with quotas set for ethnic communities. In the absence of such a solution or in case of opposition from any community, this problem can be solved by changes in the Electoral Code, where the entire territory of the Republic of Macedonia will be transformed into an electoral unit. In this case, in order not to harm the smaller ethnic communities, entry without any census should be ensured.

b. The consociationalism as model differs from the pure "majority law" model also in terms of decision-making. Characteristic for this model is the limited intermediate veto. If the majority, in the simplest way, by not voting, can refuse to accept certain decisions, consociationalism democracy enables the minority to do the same. The right of veto enables the protection of the minority from the majority, a phenomenon which is present in countries with a model of majority democracy. The veto gives all segments (communities) the opportunity to defend themselves. Their rights and safety are placed in their hands, where they can be especially protected, and such a thing would depend only on them.⁵

The way of using the veto is different in different countries which apply the co-social model of democracy. "The veto can be accepted (approved) informally or unwritten through an agreement, or it can be established legally, preferably in the constitution. In Austria, the leaders of the socialist and Catholic parties formally confirm it before the formation of any governing coalition: in the coalition council, all decisions must be approved by all votes.

The limited veto of the communities in Macedonia was entered into with the Ohrid Framework Agreement and respectively formalized with the Constitutional amendments.⁶ With the constitutional changes in question, the so-called "Badenter Majority" is established (after the name of the author - the president of the French Constitutional Court, Robert Badenter). This type of majority, in addition to the simple majority, includes the majority of deputies (representatives) belonging to the communities, which are not the majority in the Republic of Macedonia. According to the Constitution, as we mentioned above, the limited veto is exercised during the election of the People's Advocate (Ombudsman), the Republican Judicial Council - for the election of three

⁵ A. Lijphart; Democracy in plural societies A comparative exploration; 1977

⁶ Amendment X. Constitution of the Republic of Macedonia, Official Gazette of the Republic of Macedonia; no. 91, 20. 11. 2001, Skopje

of the total seven members; Constitutional Court - for the election of three out of a total of nine judges.⁷ This rule also applies to some legislative acts, which are approved by two-thirds of the votes. In this case, two-thirds of the representatives of the communities, which are not a majority in the Republic of Macedonia, are also necessary for their approval. This also applies to the acceptance of decisions related to local self-government; for the amendment of the Preamble of the Constitution and provisions related to the rights of communities.⁸

c. The principle of proportionality has to do with the proportional representation of communities in power bodies, as well as the proportional distribution of public funds. This also represents an exception (withdrawal) from the majority principle, or the opposite of the principle that all power belongs to the winner. This principle presupposes proportionality from the highest body of the central executive power - the government, to the lowest bodies of the executive and judicial power.

In the legislative power, proportionality is most often realized without special normative acts, respectively through free elections. But there are also countries where minorities are provided with secure quotas for participation in Parliament through the election law (239). This principle also applies to local self-government bodies. Proportionality also has to do with the way decisions are made.

In Macedonia, the proportional representation of our communities in the power bodies, as well as in the leadership, is not at a satisfactory level. Even in spite of the clear obligation arising from the Ohrid Framework Agreement, namely the time limits for solving this problem, ten years later this point of the agreement remains unfulfilled. This has to do with proportional representation in public and state administration bodies, as well as in relation to positions in the highest state leadership bodies.

The distribution of participation in government should be proportional for all communities. This proportion should be reflected in the number of ministries, as well as in the number of sectors, depending on the needs of the ethnic communities, as well as their importance. At the same time, if the prime minister is from the largest community, there must be a deputy from the other community. The Deputy Prime Minister, in addition to the powers provided by law, must also control the implementation of the principle of proportional representation in the relevant administration, as well as the proportional distribution of state funds.

According to Arend Lijphart, among the main factors of consociational democracy was the high degree of independence of communities. Lijphart defines this element as "autonomy of segments and federalism", which means that non-majority communities themselves have the opportunity to raise issues that concern them. Practically in these cases we are dealing with issues related to the culture and education of these communities. This independence is characterized by high autonomy during decision-making, which is most often realized on the basis of territorial administrative autonomy or local self-government, with a high degree of decentralization. This independence does not create divisions, on the contrary, it encourages communities to jointly choose issues that concern the general interest. Such a thing is the basis for solving the issues that affect all communities. Despite this, for issues that affect the general interest, decisions are made jointly, but with emphasis on the proportionality that is defined in the report of the influence of the segments.

In the contemporary analysis of the consociational concept, some authors also present the fifth condition, which is the proportional electoral system, written in the Constitution. This concerns guaranteed quotas for minorities for the highest legislative and executive body, ensured by law.

The quotas for the executive power are characteristic for Switzerland and Bosnia and Herzegovina, while for the legislative power such quotas exist in the Republic of Kosovo.

⁷ Amendment XI, XIV, XV. Constitution of the Republic of Macedonia, Official Gazette of the Republic of Macedonia; no. 91, 20. 11. 2001, Skopje.

⁸ Amendment VIII, IX, XIII. Constitution of the Republic of Macedonia, Official Gazette of the Republic of Macedonia; No. 91, 20. 11. 2001, Skopje

In the essence of this concept, despite the name consociation (consociation - from the Latin partnership, cooperation, interaction between communities), it contains the division of power. From here we can draw a main conclusion that this concept tries to build co-communities (consociation), through the division of power between segmented parts.

From the political point of view, consociation is accepted as a joint action of two or more communities, based on an agreement. The conditions must be negotiated by the leaders - the elites of the segments (communities), which connect the parallel interests of peace and stability as well as the desire to have power. "Consociation is based, say, on the limited constitutional dominance of one of the parties or their approximate equality. Distribution of power, distribution of state funds - all this is done on the basis of restrictions or approximate equality. In these senses, each one of the groups lives in a respective security, following their own traditions, and being able to use their own language not only at home but also in their public space".⁹

The purpose of the consociation is for the communities to find a way to tolerate each other, or to find a form of tolerance for coexistence. On the other hand, the elites - leaders are the ones who must provide ways and means for peace and stability. If it is in the interests of the communities to create mutual tolerance through a functional system (consociation), for the elites - the leaders of the communities, all this has a certain indirect subjectivity. Behind this subjectivity is hidden the preservation of their authority and the division of power. The elites - the leaders are the ones who define the framework for the creation of a new system. They accept the commitment to reach an agreement to create a functional system with mutual trust. In the specific case, they present personalities (groups), who must accept responsible and reasonable decisions, for the benefit of their community, but without losing their pragmatic sensitivity, respectively, so that the decision taken does not harm the other community. With the decisions taken, the elites - the leaders of the communities (those not in the majority) create an acceptable position for the realization of rights for their communities. This, to a high degree, is also reflected in the creation of prerequisites for well-being. These are sufficient factors for the elites - community leaders, to maintain, and why not, even increase their authority in society. On the other hand, decisions - agreements must always be pragmatic, to the extent that they do not create distrust in the majority community, which can reflect not only against the authority of the elites - the leaders of the majority community, but also on the acceptance or non-acceptance of these decisions by the majority community. Despite the fact that the majority in these cases experience a weakening of their positions in the state, on the other hand, it benefits from maintaining peace and stability. In this case, the tendency for separatism is limited.

At the basis of consociationalism democracy lies the agreement between the elites of the communities (ethnic, religious, cultural, racial, linguistic) for the creation of a system with acceptable rules, which system everyone then obeys. Such a thing can be realized when the high consocial body is formed. Our assessment is that a necessary condition for a completed consociationalism model in the Republic of Macedonia is the formation of a council made up of representatives of the political elites of the ethnic communities, who will define state policy in accordance with the principles of consociationalism democracy.

Conclusion

The current model, which operates from 2001, has had its effects to a certain extent. However, the expectation was much higher. From this time interval we can say that to a large extent changes are observed in the basic segments. But what continues to fail is the creation of trust between the main larger communities, the Albanian and the Macedonian. The idea continues to exist that granting certain rights to an ethnic community means losing the monopoly of the rights of the other community.

The political trend in the development of the contemporary world is more fulfilled with the guarantee of human rights and freedoms through the application of new adequate models of democratic governance. The definition of the type of multiethnic state requires answers to the problem of human rights in the context of preserving national identity.

The Republic of North Macedonia is a multi-ethnic state and the task of this study is to bring out the specifics of its ethno-cultural state, the features at the substantial level of the state. Maybe such a study can encounter problems of different natures,

⁹ M. Walzer, About tolerance. Sofia, 2007, p. 36-37

respectively the matter which is researched can be treated in different ways. However, starting from the fact that this study presents individual research and among the first in this field, the expectation of opening a wider debate is great.

The proposed model attempts to achieve full equality on ethnic, religious, linguistic and cultural bases, which will also limit the tendency for inter-ethnic conflicts.

A new (currently proposed theoretical) model of ethno-organizational pluralism can be realized through legal changes in the legislature of the Republic of Macedonia and in this sense, the whole theory has a propositional character *de lege ferenda* in terms of the existing Constitution of North Macedonia.

References

- [1]. Arendt Lijphart; Democracy in Plural Societies: A Comparative Exploration. New Haven: Yale University Press, 1977
- [2]. Lijphart, Arend, and Waisman, Carlos H. (eds.). 1996. Institutional Design in New Democracies. Boulder, Colorado
- [3]. Michael Walzer, About tolerance. Sofia, 2007,
- [4]. Michael Walzer, On tolerance; Yale press, 1997
- [5]. Г. Силјановска – Давкова; Идеолошкиот профил на политичките партии во Република Македонија; Зборник на Правниот факултет „Јустиниан Први“; Универзитет „Св. Кирил и Методи“, Скопје, 2010, f. 318
- [6]. Л. Д. Фрчковски; Теории за демократијата; Скопје, 1992;
- [7]. Љчезар Дачев, Учения за државата, София; 2001
- [8]. Л. Дачев; Историја на политическите и правни учения. Дјал II. С. 2007
- [9]. С. Климовски, Т. Каракамишева, Р. Дескоска; Политички систем; II издание; Скопје 2009 год;
- [10]. С. Шкарик; Г. С. Давкова; Уставно право; второ издание; Скопје; 2009
- [11]. Amendment X. Constitution of the Republic of Macedonia, Official Gazette of the Republic of Macedonia; no. 91, 20. 11. 2001, Skopje
- [12]. Amendment XI, XIV, XV. Constitution of the Republic of Macedonia, Official Gazette of the Republic of Macedonia; no. 91, 20. 11. 2001, Skopje.
- [13]. Amendment VIII, IX, XIII. Constitution of the Republic of Macedonia, Official Gazette of the Republic of Macedonia; No. 91, 20. 11. 2001, Skopje