(DIS) INTEGRATIVE POWER

OF DECENTRALIZATION:

MULTI-ETHNIC MUNICIPALITIES IN MACEDONIA

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PAPER 2: THE (DIS) INTEGRATIVE POWER OF DECENTRALIZATION: MULTI-ETHNIC MUNICIPALITIES IN MACEDONIA

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The complex realities of the political system in divided societies on ethnical, religious, cultural lines pose challenge for how those divides will be sorted out and what kind of regime the country will nurture. Macedonia is a country that is divided on ethnical lines, coinciding with the religious and cultural ones, namely having a predominant Albanian minority. After the ethnic conflict in 2001 first attempting to secessionism, the solution was found in the decentralization reforms and the greater power vested in the local self-government. The decentralization process was obviously applied as a conflict management mechanism but this I argue depends on some underlying conditions that reinforce it as such. I focus on the political accountability mechanisms as one of the crucial factors for making decentralization a

powerful inter-state conflict management mechanism. I support my argument by looking at the Macedonian multi-ethnic municipalities.

1. Introduction

The complex realities of the political systems in divided societies on ethnic, religious and cultural lines, pose challenge for their internal institutional design and kind of political regime they will pursue. Increased demands for minority rights, cultural autonomy and even secession are often times substituted with federalism, territorial autonomy or decentralization. The concept of decentralization (fiscal, administrative, political) is becoming increasingly important in the political systems as part of the vertical power dispersion for bringing improved democratic governance and efficacy, but also it has been understood in terms of conflict management mechanism in divided societies. Donald Horowitz for instance sees decentralization and federalism as fostering intergroup cooperation between politicians as a form of political socialization to norms of cooperation before they arrive to the center (2008, 1218).

Macedonia, not opting for territorial solutions to the ethnic conflict in 2001, started accommodating the demands for greater Albanian minority rights with the decentralization reforms initiated by the Ohrid Framework Agreement (OFA), the Amendments of the Constitution of the Republic of Macedonia, the Law on Local-Self Government from 2002 and the Law on Territorial Organization of the Local Self-Government from 2004; henceforth strived for greater minorities' participation in the decision making processes. This decentralization process has widely been regarded as a "success story by both regional and international actors alike and is frequently considered a suitable model of ethnic conflict management that can be replicated in other regional contexts" (Lyon 2011, 28). Yet, this conclusion is not always grounded in methodological research on the multi-ethnic municipalities in Macedonia that can tell a lot about the implications of these reforms. The main question is whether decentralization decreases the level of conflict and increases inter-ethnic collaboration in ethnically mixed municipalities and what are the underlying conditions for decentralization to be successful conflict management mechanism? I argue that the lack of attention given to the political accountability mechanisms on a local level, hinder the potential influence of the decentralization processes as a successful conflict management mechanism.

I will first locate the problem, give theoretical background and conceptualize the terms; than discuss the link between decentralization and inter-ethnic collaboration through the importance of accountability mechanisms by looking at legal documents, as well as praxis from the multi-ethnic municipalities in Macedonia.

2. Locating the Problem of Interest

The main cleavages in Macedonia are the ethnic Albanian and Macedonian, which coincide with the religious cleavage- Muslims and Orthodox Christians. According to the last census from 2002, Macedonia's ethnic structure is as follows: 64.18 % Macedonian, 25.17 % Albanian, 3.85 % Turkish, 2.66 % Roma, 0.48 % Vlach, 1.78 % Serbian, 0.84 % Bošniak, and 1.04 % who declared themselves 'Other' (Statistical Office 2005, 713). Demanding initially secessionism, there was an ethnic conflict between the ethnic Albanians and Macedonians in 2001 that appeased these demands with decentralization, not finding territorial solutions suitable. The aim of the OFA after the conflict was to achieve peace through a process of integration, institutional bargaining and compromise, at both the municipal and state level, rather than through the creation of either federal or regional levels of governance. "Its complexity reflects the delicate balance between consociational and integrative approaches to peace building" (Bieber, 2005; 2006; Ilievski, 2007). Consequently, it is perceived by scholars that the Agreement represented a combination of measures designed both to favor multi-ethnicity and the integration of ethnic communities (equitable representation in public administration and enterprises, parliamentary and municipal committees on inter-community relations), and reforms which institutionalize the social and cultural distance that already existed between the different communities through enhanced language rights, municipal decentralization and special voting procedures (Ragaru 2008, Lyon 2011, Siljanovska 2009, Weller and Wolff 2005).

More precisely, decentralization and its link to ethnic politics is regarded as under-researched topic in any social science discipline, among scholars from countries in the Balkans (Common Values 2009, 66), who try to find refuge for their diverse societies in these reforms. Fortunately, the debate recently gaining relevance is whether the decentralization reforms lead towards greater power sharing or effective and efficient service delivery? Siljanvoska

argues that it leads towards both and that the consocial democracy itself goes hand in hand with decentralized government (Siljanovska, Panel 2011). She suggest that decentralization approaches can be sustainable way to preserve multiculturalism in an ethnically and culturally diverse country, which process depends on the public engagement, accountability of local leaders and the transparency of the procedures (Siljanovska 2009, 126). Otherwise, it will maintain the image of mechanism that strengthens the already established way of clientelistic functioning where accountability to the citizens has no value.

3. Theoretical Underpinnings

Particularly concerned with the relationship between decentralization reforms and ethnic conflict is Brancati's theory on decentralization effect on ethnic conflict dependent on the strength of regional parties. On the basis of large-n analysis on countries undergoing decentralization reforms, she argues that "decentralization may decrease ethnic conflict and secessionism directly by binding the government closer to the people and increasing opportunities to participate in government, but at the same time increase the conflict by reinforcing ethnic identity" (Brancati 2006, 651). Jeram finds Brancti's conclusions valuable, yet rooted upon the assumptions that "ethnic regional parties are free to use the resources of decentralization to promote secessionism at their will" but there are competing theories that talk about the importance of weak or strong accountability mechanisms that constrain secessionist activities (Cheema 2007). Therefore, he suggests including accountability mechanisms and civil society actors as intervening variables since "accountability constrain the secessionist tendencies of ethnic elites, whereas civil society promotes 'dual identity' between rank and file members of the minority ethnic group" (Moreno and Keating in Jeram 2008, 18).

Important remark supporting the argument that accountability is one of the crucial factors, comes also from Horowitz, stating that "too much attention is paid to the similarity of institutional, power sharing structures, while not enough attention is paid to the health and long-run viability of underlying relationships between communities and their leaders (2008, 50). Richard and Conway also agree that the research agenda in the field of ethnic conflict management needs to accept that the effects of decentralization are contingent and that "we can only explore whether and how institutions 'matter' by exploring the interaction between

them and the societies in which they are embedded" (2001,339). Certainly, the political accountability is present between elections, which goes beyond legal, financial or ethical accountability since, as Schmitter puts it, "rulers can be held to account if they made bad political choices or fail to produce effects or cost much more than initially announced" (Schmitter 2004, 48). Therefore, I will look in the case of Macedonian multi-ethnic municipalities, the mechanisms of accountability available to the citizens and the insights available for their use. The hypothesis is that their use is marginal and not well known to the citizens, which hinders the potential of decentralization to be powerful conflict management mechanism.

3. 1 Conceptualization

The background definition of *decentralization* I use is conceptualized as "a process by which central-local relations are restructured in a unitary state, through the devolution of competencies from the national to local levels of government (administrative, political, fiscal) that increases efficacy of governance and serves as a mechanism that decreases ethnic conflict in multiethnic societies" (Lyon 2011). *Ethnicity* according to Horowitz, which is the concept I use for this research, implies that it is ascriptive in nature, but not immutable. It is a "powerful Gemeinschaft affiliation that can induce both calculative and passionate action" (1998, 342).

Political accountability according to Schmitter implies exchange of responsibilities and potential sanctions between rulers and citizens. Most importantly, there are key sets of actors: citizens, representatives and rulers whose behavior has to be regularly and reliably patterned in such a way that accountability is ensured (Schmitter 2009). When the scope conditions are the local self-governments, municipalities, in the Macedonian case- 'opstina', I find it useful to look into the attempt of Serdar, Beris and Serrano-Berthet to provide narrowly systematized framework for analyzing local government discretion and accountability (2008 ,6). They talk about 'upward accountability' of local governments to their central government, but of particular interest to this analysis is the 'downward accountability' that involves "social accountability approaches, including for instance participatory planning,

budgeting, expenditure tracking, monitoring and evaluation, management of investment, citizens access to information campaigns and citizen feedback for services (Serdar, Beris and Serrano-Berethet 2008,4). I see this closely related to Schmitter's political accountability concept holding for democracies. In them, the distinct characteristics of accountability is that the constituency are the citizens where "each one has the same rights and obligations: to be informed about official actions, to hear justifications for them and to judge how well or poorly they are carried out" (Schmitter 2004, 48).

4. The case of Macedonia: Traditional lack of accountability

Macedonia used to be part of the Yugoslav Federation as one of the six administrative enteties since 1946 untill 1991. In those times, the ethnic coexistence was institutionalized by the Tito's regime. After the dissolution of Yugoslavia, there has not been significant conflicts in Macedonia among the major ethnolinguistic gropus. The relations between them were generally indifferent and peacefull, with some small scale isolated incidents on the basis of ethnicity or religion. For the Macedonians, the cohesion of the state and its territorial integrity was crucial, since in Yugoslavia and later on with its independence, Macedonian people finally found themselves recognized as a particular national and ethnic entity (Common Values 2009, 66). During the post-independence period, the political system has been characterized by the "preponderance of informal power-sharing arrangements between the two main ethnic communities" (Holliday 2004, 158).

The Albanian parties were gradually radicalizing in order to improve the state of the Albanians within the country. The central figure in these processes was Arben Xhaferi's Democratic Party of Albanians (DPA) and the Party for Democratic Prosperity (PDP). The post electoral coalitions in Macedonia proved that the pragmatism works most among the rank and file members of the political parties, while the electorate is surprised by the post electoral coalitions. This speaks clearly for the demise of the elections as mechanisms for citizens to keep their representatives accountable. This happened after the 1998 elections when the right wing VMRO-DPMNE (Democratic Party for Macedonian National Unity) got into coalitions with DPA and put many Albanians to key functions. Most of the political deals and bargaining were unknown to the citizens, and there was no room for talking about accountability of the politicians neither on central, nor on local level, since everything was justified for the sake of

the transitional state in which the country found itself. Despite these pragmatic coalitions, the Albanians wanted greater integration in the sense of educational and professional opportunities, as well as greater connection with the urban areas.

Against the backdrop of a discredited political process, contemporary politics in Macedonia still is based more and more to a form of clientelism and government-by-network and this is present on local level as well. The formal institutional arrangements in Macedonia matter less than do informal connections and personal services, which blurs the picture of the potential the institutions themselves have. "Coupled with divergent ethnic, cultural and economic cleavages, these developments further serve to undercut the basis for cohesion that is required for an integrated and pluralist political order to take root. The primary trend between the two main ethnic communities in Macedonia is one of divergence and separation rather than integration" (Holliday 2004, 162). The decentralization processes even though considered as highly politicized by the experts on the topic (Siljanovska, Lyon), should offer sufficient leverage to counterbalance the existing institutions of privilege. Without establishing tools to identify and address these imbalances, there is little prospect for establishing the basis of equality of status, representation and greater inter-ethnic collaboration. The decentralization processes reinforced with the strengthening of the accountability mechanisms can be a counterweight for the institutionalized privileges, and provide tools for tackling them, henceforth contribute for it to be an efficient conflict management mechanism.

5. Decentralization Reforms

Abandoning the plea for secessionism under great international pressure, decentralization became the main Albanian demand after the 2001 ethnic conflict and is being monitored ever since by the EU as part of Macedonia's reform process (Crisis Group 2011, 18). It sought to offer limited autonomy to Macedonia's ethnic communities. By delivering most of the competencies to be administered at the municipal level, the reforms aimed to provide the culturally diverse communities with greater control over the management of their own affairs. Macedonia has one-tier decentralization system where the unit of basic local government are called "opstina" that has responsibility in the field of public service including urban planning, sports and cultural issues, social security and child care, primary education, preschool education, basic health care and other services determined by the relevant laws. Forty

municipalities were territorially, demographically, as well as institutionally changed with the municipal borders redrawing in 2004 (Law on Territorial Organization 2004) as part of the decentralization reforms in Macedonia, while sixteen municipalities became Albanian dominated. Albanian language has acquired official status in 29 of the 85 municipalities (including the City of Skopje), Turkish in three municipalities, Serbian in one, and Romani also in one (Common Values 2009, 53).

Citizens, politicians and experts in Macedonia have recognized that the inter-ethnic dialogue and collaboration is crucial to sustaining healthy community relations, social trust and tolerance (Kenning 2011; UNDP 2011, 8). The recommendations from the UNDP reports that closely observe the improvement of the decentralization reforms, state that "promotion of such dialogue and collaboration requires the encouragement and engagement of central and local government, as well as the participation of a broad and inclusive social spectrum, namely civil society, including religious, women's and youth leaders, the media and the business sector (UNDP 2011, 8). Certainly, these recommendations build upon the accountability mechanisms.

Previous researches on these processes focus on a small number of municipalities (Malevska, Hristovska, Ananiev 2007), case studies on one municipality (MCIC 2009), or the effective representation of smaller ethnic minorities (Kotevska 2011), but most of them do not link accountability mechanisms directly with the role of decentralization for mitigating ethnic conflict. I argue that scarce attention is given to it both in the legal documents as well as the debates on the decentralization impact on decreasing ethnic conflict, hence increasing inter-ethnic collaboration. Leaning on the aforementioned concept of "downward accountability", The support for my aim to emphasize how accountability is one of the crucial factors for decentralization as a conflict management mechanism is found in the Law on Local Self government from 2002, which aimed at providing "better response by local decision-makers to local needs especially those affecting minorities" (UNDP 2010, 17); and the use of its provisions. Legally the pivotal mechanisms are Committees for Inter-Community Relations, direct democracy mechanisms. Additionally, the media and the inclusion of civil society sector in the decision-making processes on a local level contribute sometimes even more to the political accountability. Although accountability is usually considered when studying good governance, I find it important to be considered in conjunction with decentralization reforms

institutions and making it better conflict management mechanism. Tentatively I argue that the introduced decentralization provisions to accommodate the minorities' demands officially increased their opportunities for participation in decision-making processes, without presenting and explaining them to the citizens as potential mechanisms for greater political accountability.

5. 1 Committees for Inter-Community Relations (CICR)

The Committees for Inter-Community Relations (CICR) is one of the mechanisms for balancing the power relations when there might be irregularities in the work of the council and the mayor. In the municipalities where at least 20% of the citizens according to the last census are from different ethnicity, a Committee for Inter-Community Relations is formed. Other municipalities can establish CICR with their statute. CICR's have one representative from each ethnic community (LSG 2002, Article 55/1,2). Their role is to enable institutional dialogue between the different ethnic communities, and to act as an instrument for enabling direct citizen participation within municipal decision-making processes. The Municipal Council is obliged to review CICR opinions and act consequentially. Those I perceive as one of the crucial institutional mechanisms for greater accountability. However, the local situations of the CICR vary greatly among different municipalities according to Ragaru, with only a few like Struga, Gostivar and Kumanovo that take it seriously (2008, 3).

One of the problems is that the role of these committees is taken too broadly. If they need to do research, promote coexistence and cooperation, give opinions on particular questions concerning the specific needs of the communities, as well as react to certain events on the territory of the municipality, than it can be concluded that the expectation are far beyond the conditions created for the functioning of these commissions. Research conducted across the multi-ethnic municipalities has identified that CICRs are generally found to be "dysfunctional with very little credibility or capacity to deal with inter-ethnic problems at the local level. We may even conclude that these commissions were put in the Law on Local Self- government more as a décor to the decentralization process so it can be accepted more easily as a good democratic but also conflict management mechanism. Just as with other loose provisions coming from the OFA, the salaries, the competences of the members of the committees, the

offices and resources required for their functioning remained unclear. This non-effectiveness of the mechanisms coming together with the decentralization reforms conveys a message of improvisation and short-term solutions to the ethnic problems in the country, especially on a local level that decreases the possibility for greater accountability and inter-ethnic collaboration.

The ways in which the committees' members are elected is determined with the Municipal Statute, as well as their financing (LSG, Official Gazette No.5/2002). The membership is usually mixed from municipal council members and outside representatives and for some municipalities the local administration states they have a committee but they are not able to list their members. This question is important for the mandate of the committees because if they are about to propose new measures or give opinions, they need to be impartial, which is not the case with the municipal council members. Therefore, the CICRs, instead of being vibrant accountability mechanisms for the citizens, are generally just an extension of the already established political forces within the municipal council. The duration of their mandate is four years, which is also problematic, since "they might have gained the confidence among the citizens when they need to leave this position. Hence the recommendations are that the elections should be done through public call and for a longer period of time. Finally, one of the greatest problems of the CICRs is that the citizens do not even know that those committees exist, and they have not asked for their assistance. They believe that inter-ethnic problems can be solved "on a higher level" of government, not through these kinds of mechanisms (Kenning).

5. 2. Direct democracy mechanisms

The citizens can directly participate in the decision-making processes of local significance through citizen's initiative, citizen's assemblies and referenda (LSG Article 25). Furthermore, individual citizens can give proposals for the work of the organs of the municipality and the municipal administration. The mayor is obliged to create conditions for this (LSG Article 29). However, this kind of direct participation in the decision making processes is insignificant, which is both negative for the accountability of the politicians to their citizens, as well as the participation of the smaller ethnic communities.

5. 3. Civil Society

NGOs as the other factor that can foster accountability have also limited knowledge and cooperation with the CICR (UNDP 2010, 5). Civil leaders state that the cooperation with the official local government organs is on a very low level, and the formal or informal involvement of civil leaders in the local government is minor. Their potential is more then obvious since the question they deal with such as ecological and educational issues, infrastructure, youth, are issues that concern more than one ethnic community. Their potential to be "watchdogs" is still on a very low level. The positive examples in this regard come from the municipalities that give awards for civic members initiatives or public financing for NGO's (Kumanovo, Struga). Also, when asked about citizens involvement in the decision making processes, the picture the municipal councilor present is different than what the citizens state: the former say they organize open debates with the citizenry, while the citizens state that they barely receive information on the council sessions and the new decisions at stake (OSCE 2009, 30).

5. 4 Media

Finally, the media is by default the watchdog of the government work. As accountability factor, still the media in multi-ethnic municipalities in Macedonia notices small outreach to them by local government authorities and NGOs (UNDP 2010, 6). But even worse is that the media is perceived by the citizens to contribute to the ethnic tensions, rather than serve as an integrating factor, and a watchdog of all parties involved in the government. Certainly, the media also have ethnic tabors as the parties, regardless the fact that citizens hope to get most of the information about the work of the local government from them (OSCE 2009, 29).

6. Concluding remarks

From the short overview of part of the accountability mechanisms, I draw a major recommendation. The law itself should pay more attention to accountability mechanisms, and in that way lift this to a level of principle. If all these institutional and informal mechanisms are

legally recognized as accountability mechanisms, they will give impetus to the citizens to use them. Of course, all these activities have to be better synchronized with the central government-the aforementioned concept of "upward accountability". It is extremely important that the local governments have sufficient amount of freedom to craft their statutes, but without the proper valuing of accountability mechanisms, those statues remain only formal frameworks for what the municipal councilors or mayors with the other party members have already envisaged to implement. If these recommendations seem self limiting to the local governments, it shall be part of a nation wide debate whether decentralization should still perceived as conflict management mechanism, or merely a lesser evil quasi- solution to the problem of ethnical divisions.

Finally, the configuration of these conditions is supposed to reduce the discrepancy between the governing and the governors while contributing to the maintenance of solidarity, nurturing social awareness and finally shifting the focus from the ethnic divides while prioritizing the improvement of political accountability for the benefit of all. Greater inclusion of the media, the civil society organization, and greater use of the already institutionally established decentralization mechanism, rediscovered where needed for better understanding and efficacy, will improve the accountability mechanisms and from here will make the decentralization processes powerful conflict management mechanism.

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