

Balkan Schrodinger's Cat: The Case of Macedonian Democracy

Written by Julija Brsakoska Bazerkoska

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JULIJA BRSAKOSKA BAZERKOSKA, MAY 12 2017

On the night of April 27, the world witnessed the horrifying scenes of one of Macedonia's MPs covered in blood being dragged through the hallways of the Macedonian Parliament, the horrifying scenes of blooding up of the new majority leader Zoran Zaev, other MPs and also journalists. Only several minutes after the announcement of the election of Macedonia's new Parliament Speaker, supporters of the VMRO – Democratic Party for Macedonian National Unity (VMRO –DPMNE) stormed into the Parliament building. One would believe that one of the most important institutions in the country and the people's representatives working there would be best protected against any attack from outsiders. On the contrary, on the night of April 27 the world witnessed what it thought was impossible to happen. It took more than two hours for the police to react. They eventually intervened to end the protests and to evacuate the MPs and journalists that were stuck inside the Parliament building, but did not manage to prevent the violence that left a bitter aftertaste and the feeling of insecurity and the possibility for further escalation.

What happened on 27 of April set the country, once upon a time touted as an exemplar of European integration in the region, on the list of countries that are going through grave crisis and for which even Pope Francis called for a prayer. It seems that when the democratic institutions and the rule of law are non-existent, that prayer is the only thing left in this 'captured state' – a description of the country in a Progress Report by the European Commission meant to designate a state where there had been a long-lasting bifurcation of state and the party.

How did Macedonia Arrive at Such a Dangerous Place?

For two years, the country has been living through one of the most dramatic and serious political crisis since its independence. The crisis, triggered by the wiretapping scandal revealed by the leader of the Social Democratic Union of Macedonia (SDSM), Zoran Zaev, exposed the involvement of the then-Prime Minister, Nikola Gruevski, and his closest allies from the then-ruling VMRO – DPMNE in massive scale electoral fraud, corruption, abuse of power and a score of other economic and violent offences. The dire conversations also confirmed the worries highlighted in the EU Commission's Progress Reports for Macedonia: the deep partisanship of state institutions and the judiciary, and the suppression of freedom of expression. After an extensive international effort, mainly expressed through a partnership between US and EU representatives and diplomats, the so-called Przino agreement was reached in June-July 2015. The four main political parties in the country agreed to negotiate and reach an agreement on the key structural reforms that will lead towards fair and democratic elections to put an end to the deep political crisis and start the process of rebuilding Macedonian democracy. On the basis of this agreement, the Special Public Prosecutor's office was established with a sole purpose of independently investigating and potentially indicting key political figures for the allegations of criminal offences revealed in the wiretaps.

The elections were finally held in December 2016 and were seen by many as the end of the crisis and the beginning of the transformation of the society, of bringing the country back on the right track and of the restoration of democratic governance and the rule of law. VMRO –DPMNE still had a very narrow lead, but was unable to form a government because it lacked the necessary number of seats to form a majority in Parliament. Their previous partner of ten years – the Albanian Democratic Union for Integration (DUI) as well as all the other parties representing the Albanian ethnic minority, refused to enter into a coalition with VMRO – DPMNE. One of the main reasons why they

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refused coalition was because VMRO – DPMNE wanted to abolish the Special Public Prosecutor's office.

Instead of abiding by the Constitution and handing the mandate to the Parliamentary majority formed by the Social Democratic Union of Macedonia (SDSM) in coalition with three other Albanian bloc parties, the President of the country, Gjorge Ivanov, refused to do this with rhetoric of protecting the country from future "Albanisation". According to him, the essence of the so-called Tirana platform – declaration of the Albanian parties in Republic of Macedonia, is to change the constitutional order of the country. While the President first gave the mandate to VMRO –DPMNE to form a government without a proof of Parliamentary majority, he denied the same to the SDSM because of the additional unconstitutional conditions he required from them – among which was to reject the Tirana platform.

Moreover, VMRO-DPMNE and its MPs boycotted the democratic process of transfer of power to the new Parliamentary majority. In an absurd situation of speaking and replying to each other in the Parliament for more than a month, VMRO DPMNE MPs were trying to avoid the December 2016 election results, asking for new elections. It was clear that the peaceful transfer of government was not something that Gruevski was ready to do. Instead of a change of government, what followed was the continuation of the crisis, finally escalating in violence.

Although obstructed by their colleagues from VMRO – DPMNE, the new majority MPs, following the possibility given to them by the Parliament's Rules of Procedure, elected the new Speaker of the Parliament, Mr. Talat Xaferi, in the late afternoon on April 27. They were aware that this move might be harmful for their own security, since the VMRO – DPMNE leader has called for his membership several times to be on high alert to defend their country from the "traitors" from SDSM. The political earthquake that happened seemed to be inevitable.

In a healthy democracy, once the elections deliver a new majority, the expected outcome would be to pass on the responsibility to govern the country and retreat in opposition. Macedonia has been nothing close to a healthy democracy. Institutions have been overtaken by a clientelistic network created in the past ten years of VMRO – DPMNE's rule, resulting in a selective implementation of laws depending on the level of ties one has in the ruling hierarchy. Captured in this network, the country was moving only further away from what was once its primary goal – EU and NATO membership. The mere belonging to the continent was the only thing that has been connecting the country to Europe, rather than a focused endeavor towards the basic EU democratic values. Therefore, the conflict that erupted in the Macedonian Parliament is not an inter-ethnic conflict between the Macedonians and Albanians, but it is rather a conflict between forces that want to transform the country into a functional democracy and the forces that are comfortable with the autocratic governance of Gruevski.

Macedonia and the International Community?

Help from EU and NATO is needed in this effort to build a well-functioning state when the basic separation of powers is abused. The country's security can be protected only through NATO membership in the near future – blocked in a 2008 veto by Greece because of the dispute over Macedonia's name. The EU accession as a democracy-driven process, will give the country the opportunity to transform its economy and improve its democratic credentials. In this respect, in political, economic, and security terms it is essential for the EU and NATO to strengthen the credibility of its enlargement policy in Macedonia. The Balkans has been neglected for quite a while and the tolerance of local autocratic leaders that were seen as a factor of stability only contributed to the present situation in Macedonia. The EU and US should not forget the words of the Iron Chancellor Otto von Bismarck:

Europe today is a powder keg and the leaders are like men smoking in an arsenal ... A single spark will set off an explosion that will consume us all ... I cannot tell you when that explosion will occur, but I can tell you where ... Some damned foolish thing in the Balkans will set it off.

The initial steps must be restoring trust in state institutions and rebuilding the checks and balances of the system. The absence of democratic institutions can endanger the fragile stability not solely in Macedonia, but also in the Balkans more generally. The stronger EU involvement and the proverbial 'carrot' of starting the negotiations, should be used to give the EU an advantage in dealing with the vacuum of democracy, present in Macedonia for quite some time now. By leaving the country in the queue longer than it already is will only intensify the democratic deficit.

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This is even more important because Macedonia has become one of the places where a tug-of-war between the West and Russia is going on. In the days following the violence in the Parliament, the different stances on which Russia and the West stand could be easily seen from the contradictory statements. While the EU started the process of recognition of the new leadership in Skopje by inviting the new Parliament Speaker on meetings in Brussels with the EU foreign relations chief Federica Mogherini and the EU Commissioner for ENP and Enlargement Negotiations – Johannes Hahn, Russia's foreign ministry has blamed the United States and the European Union for the political turmoil. The EU called for the focus to now be on the next steps of the process of government formation, respecting the parliamentary majority and acting in line with the Constitution and democratic principles, while Moscow accused the West of "gross interference" in Macedonian politics with the purported aim of manipulating "the will of the citizens with the aim of removing the legitimate government from power." The Russian involvement in the Balkans add to mounting concerns in Western Europe that Moscow is backing authoritarian politicians with policies potentially more friendly to the Kremlin. Russia starts to position itself as an alternative partner to the European Union on the Balkans.

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What is expected now is for the President to hand over the mandate to the newly formed majority and for the country to have its new government. But by no means is this the end of the story. It is only just a beginning. Forming a government without any repeated violence will be the first step. And then comes the greater task the country is facing – rebuilding the democracy. The country needs to find strength to reverse the long trend of democracy stagnation or, in some cases, backsliding to authoritarianism. Urgent reforms on systemic rule of law issues are needed. The judiciary needs to be de-politicized and all of the allegations from the wiretapping must be fully investigated according to due legal process, so that there can be a sustainable resolution to crisis. And most importantly, the freedom of expression, which has been in steady decline and vulnerable to political pressures, needs to be restored. Only then we will know whether the Macedonian democracy is dead or alive.

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Julija Brsakoska Bazerkoska has finished her PhD studies *magna cum laude* at Cologne University, Law Faculty in Germany. At present she is working as an Assistant Professor at Ss. Cyril and Methodius University, Law Faculty in Skopje, Macedonia, teaching International Relations, Common Foreign and Security Policy of the EU and Multilateral diplomacy. She was engaged as a researcher under the Curriculum Research Fellowship program at the Central European University in Budapest, Hungary. She was also part of several EU funded projects within the Albanian Ministry of European Integration, the Skopje's office of the Italian Ministry for Environment, Land and Sea, as well as on several projects within the domestic NGO sector.