

THE PARLIAMENTARY CONTROL OVER THE GOVERNMENT IN THE REPUBLIC OF NORTH MACEDONIA

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Abstract

The separation of power in a country is still a topic on which many scientists, politicians, social philosophers debate. The separation of power depends on many factors, such as social, societal, geographical, cultural, political, historical and so on. Thus, one of the main goal of this study is to explain what the concept of power and the separation of power actually represent in a given country. After briefly defining the concepts of power and separation of power, it is analyzed whether the separation of power in Republic of North Macedonia really works in practice, or it is something put in the framework of Constitution, laws and bylaws, i. e. written on paper, in order to show its citizens that they live in a democracy. The most attention is paid to the separation of power, the so-called check and balance system, which is established in order to have a certain control, balance and supervision between state bodies, could be considered as the primary variable to determine the quality of democracy in any political regime. More specifically, the relation between the legislative, on one side, and executive authority, on the other, is analyzed. In other words, it examines the means that the legislative authority possesses for control over the work of the executive authority and, more importantly, try to show how much they are effective and efficient.

Keywords: Assembly, Check and Balance System, Government, Parliamentary Control, Separation of Power

KUZEY MAKEDONYA CUMHURİYETİ'NDE HÜKÜMET KUZEY MAKEDONYA CUMHURİYETİ'NDE HÜKÜMET ÜZERİNDEKİ PARLAMENTO DENETİMİ

Öz

Bir ülkedeki kuvvetler ayrılığı, hala birçok bilim insanı, politikacı, sosyal filozof tarafından tartışılan bir konudur. Kuvvetler ayrılığı sosyal, toplumsal, coğrafi, kültürel, siyasi, tarihsel vb. birçok faktöre bağlıdır. Bu sebeple, bu çalışmanın temel amaçlarından biri, güç kavramının ve kuvvetler ayrılığının belirli bir ülkede gerçekte neyi temsil ettiğini açıklamaktır. Kuvvet ve kuvvetler ayrılığı kavramları kısaca tanımlandıktan sonra, Kuzey Makedonya Cumhuriyeti'nde kuvvetler ayrılığının

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gerçekten uygulamada işe yarayıp yaramadığı veya Anayasa, kanunlar ve tüzüklerde yer alan kavramların vatandaşlarına demokrasi içinde yaşadıklarını göstermek için kağıt üzerinde mi kaldığı analiz edilmektedir. En çok dikkat çekilen, devlet organları arasında belli bir kontrol, denge ve denetimin olması için kurulan, fren ve denge sistemi olarak da adlandırılan kuvvetler ayrılığı, herhangi bir siyasi rejimde demokrasinin kalitesini belirleyen birincil değişken olarak kabul edilebilir. Daha spesifik olarak, bir yanda yasama erki ile diğer yanda yürütme erki arasındaki ilişki analiz edilmektedir. Diğer bir deyişle, yürütmenin çalışmaları üzerinde denetim sağlamak için yasama erkinin sahip olduğu araçları inceler ve daha da önemlisi bunların ne kadar etkili ve verimli olduğunu ortaya koymaya çalışır.

Anahtar Kelimeler: Meclis, Fren ve Denge Sistemi, Hükümet, Parlamento Kontrolü, Kuvvetler Ayrılığı.

Introduction

The separation of powers is the foundation of a possible democracy. The separation of power in one country is important in that it shows the degree to which one country is really democratic while exercising its power. It is of great importance to consider the relationship between the three authorities, their rights as well as their obligations, tasks, responsibilities and to come to a conclusion whether one of these three authorities influences the other, and to what extent, and, even more importantly, if there is some influence, what mechanisms and means exist to remove that influence. The key to the check and balance system lies in the independence of each of these three pillars, which is regulated in the Constitution.

The declaration of sovereignty and independence, as well as the held referendum, are of great importance for the new Constitution of the Republic. On May 6, 1991, President Kiro Gligorov made a Proposal to the Assembly of the Socialist Republic of Macedonia, which was put on the agenda of the fifteenth session of the Assembly, on May 23, 1991, as the first item on the agenda. Although at the session there were attempts to discuss the text of the Proposal, the Assembly adopted the Proposal for the adoption of a new Constitution with 97 votes and without a single abstention (Marolov and Mitev, 2016: 92-93).

In the introductory part of the Proposal, it is foreseen that the adoption of the new Constitution will confirm and express the Constitution of the Republic of Macedonia as a sovereign, democratic and legal state, which will be based on the sovereignty of the Macedonian people and the citizens of Macedonia, and, furthermore, on the rule of law, social justice and equal conditions for the progress of individuals and the community. Also, the Proposal envisages the new Constitution to build and establish democracy and the rule of law as the only system of Government. Democratic government should be based on the people's will, who are free and equal citizens, expressed in direct and free elections in conditions of political pluralism. The

Constitution should ensure the promotion and protection of the collective rights of all nationalities, national minorities, and ethnic groups. The organization of the state government with the Proposal should be submitted based on the principle of division of powers, i. e. three branches, which are legislative, executive and judicial. This principle should ensure democratic control, balance and efficient complementation of the divided authorities, realization of civil liberties and defense against monopolization of the government (Tuntev, 2005: 72-74).

After the citizens expressed their will in the Referendum held on September 8, 1991 for an independent and sovereign state, a new constitution was adopted on November 17, 1991.

According to the Constitution and laws, in the Republic of North Macedonia there is no absolute power. For good governance, power is divided into three pillars: legislative, executive and judicial. It can be said that these are the three pillars of democracy. To ensure good governance, very authority should be strong, but, more important, it should be fair. Each of these authorities has its own tasks, duties, obligations, but also rights. The separation of power in the Republic is done in such a way that each authority can be controlled and supervised by another, so that it could not be unlimited in its power. The purpose of this is to prevent any of the authorities from abusing power. It follows that power is divided, and not concentrated in the hands of one person or a group of people. Being aware of the existence of the Constitution and many laws and bylaws which regulate this matter, it can be said that the check and balance system functions perfectly, and everything is legally arranged and foreseen.

As already mentioned, the Republic of North Macedonia is characterized by political pluralism, that is, a multiparty system. The period covered by this article is from 2008 to 2018. Within this period under analysis, four parliamentary elections were held in 2008, 2011, 2014 and 2016. Before the parliamentary elections the two major political parties the right-wing VMRO-DPMNE (Internal Macedonian Revolutionary Organization - Democratic Party for Macedonian National Unity) and the left-wing SDSM (Social Democratic Union of Macedonia) formed coalitions. VMRO-DPMNE's coalition was named "For a Better Macedonia", while the SDSM formed the alliance called "Sun – Coalition for Europe". In total, 41 parties participated in the elections. Of them, 14 performed independently, and 27 in coalitions. The VMRO-DPMNE coalition won the elections with 53 mandates, and the SDSM coalition was second in terms of the number of mandates won - 27. In 2011 early parliamentary elections were held. In total, 53 parties were participating in the elections. Of them, 16 were performing independently, and 37 in the coalitions led by VMRO DPMNE and SDSM. The VMRO-DPMNE coalition won again, but by a smaller margin. The VMRO-DPMNE coalition won 56 mandates in the Assembly, and the SDSM coalition won 42. Early parliamentary elections were also held in 2014. Four

coalitions participated in the elections, and 11 parties participated independently. A total of 46 parties participated independently and in a coalition. The coalition led by VMRO-DPMNE won 61 mandates, while the one led by SDSM won 34. On January 9, 2017, President Ivanov assigned the mandate to form a government to the leader of VRMO-DPMNE, but he failed to form a government within the constitutionally stipulated period. The leader of SDSM managed to form a parliamentary majority through a coalition of SDSM with Democratic Union for Integration, Besa movement, and the coalition Alliance for Albanians, after which on February 27 he submitted 67 parliamentary signatures to President Ivanov for obtaining a mandate. On May 31, the new Macedonian government was voted in, 171 days after the end of the elections. Although there is a multiparty system, in the Republic only two political parties change power, of course with the help of the coalitions they form. In the given period, these two parties are both in position and in opposition, which is very significant as regards the analysis of the use of the means of control by the legislative power.

The aim of this article is to analyze the check and balance system between the executive and legislative branch in Republic of North Macedonia, i.e., more concretely, the political control that the Assembly exercises over the work of the Government. Being aware of the existence of the Constitution and many laws and bylaws which regulate this matter, it can be said that the check and balance system functions perfectly, that there is total political control, and everything is legally arranged and foreseen. But some questions, dilemmas and doubts arise. There is a doubt whether the Republic of North Macedonia, as a country with semi-presidential system, have a good way of ruling. This doubt arose being aware that the leader of the political party from which the majority of the members of the Assembly are at the same time is Prime minister in the Government in the countries with semi-presidential system. Furthermore, there is a question whether the parliamentary political control of the work of the Government is objective, having in mind that objectiveness means not influenced by personal feelings, prejudice, or interpretations. Regarding the effectiveness of the Government, also there is a dilemma whether the political control in the Republic of North Macedonia is effective, knowing that effectiveness means the degree to which the goals have been achieved, but also the degree to which the existing problems have been solved. And, the main dilemma, whether the political control by the Assembly of the work of the Government really work in practice or the mechanisms and procedures are being exercised by the members of the Assembly for the citizens to think that they live in a democratic state.

Taking into consideration the dilemmas mentioned above, this article attempts to clarify whether it is enough only to be written how the branches in one country are divided, how they function and the control and supervision among them, or maybe these branches and their relations should be seen deeper and should be checked if there is any influence among them, no matter

if it is political, personal etc., which influence violates their objectivity, efficiency, and, consequently, violates the Constitution and the laws in the Republic.

1. POWER and SEPARATION OF POWER

1.1. Power

Check and balance system, which is established in order to have a certain control, balance and supervision between state bodies, could be considered as the primary variable to determine the quality of democracy in any political regime. When talking about check and balance system, first thing that should be done is to explain the term “separation of power”. The term “power” is a term that does not have a single definition. For centuries, many philosophers, social scientists, cultural scholars, and political theorists were dedicated to this term trying to explain its meaning. According to Horowitz, power has to do with whatever decisions men make about the arrangements under which they live, and about the events which make up the history of their times (Horowitz, 1967: 23). Machiavelli writes that men who are less powerful adhere to the more powerful, being full of envy for the power he has over them (Machiavelli, 1985: 11). On the other hand, Paul-Michel Foucault’s theories encompass the relationship between power, on the one hand, and knowledge, on the other. According to him, power is neither a structure nor an institution. Furthermore, he points out that power is not even a specific force that man possesses. Power, in fact, is the name of a complex strategic situation in a certain society (Foucault, 1999: 21).

As it can be seen, power is very broad concept. Usually, it is defined as ability to produce an effect or act, possession of control, capacity for being acted upon or undergoing an effect, influence over others, capacity, or right, authority. However, it must be stressed that power does not always mean something threatening or ominous. Actually, passion is a source of power. Confidence is power. The righteousness of a cause can be considered as its power.

1.2. Separation of Power

The constitutional principle which limits the powers vested in any person or institution is called separation of power. This principle divides governmental authority into three branches: legislative (Parliament or Senate), executive (Government, President or Prime Minister and the Cabinet), and judiciary (Chief Justice and other judges). A question arises: Why the separation of power is needed? For instance, when we elect the politicians, we give them power. And, the mechanism to control a politician is to deny him/her the right to make some decisions in the future – that is, to throw him/her out of office (Perssons et al., 1997: 4). The separation of powers is an effective means of combating the abuse of power. The principle of separation

of powers is expressed through: 1. the division of the functions of the state government into several state bodies; 2. the mutual dependence of the bodies while performing their state functions (Janevski et al., 2006: 22).

The theory of the separation of powers is based on the idea of the existence of a limited and efficient state government. Behind this theory is the distrust of citizens in unlimited state power, regardless of whether it belongs to an individual, a couple of people or the majority. On the other hand, distrust towards unlimited power stems from the widespread abuse of state power in all forms of governance (Siljanovska-Davkova and Shkarikj, 2015: 547). Hence, the idea of the separation of powers can be found in all forms of government. In addition, none of the members of a particular branch should be concerned only to exercise the powers and duties provided for in the Constitution, but, moreover, should adhere to the constitutional limitations within the scope of the powers granted (Burns and Markman, 1987: 585). However, it must be underlined that the three functions of participation, which are enabling protection of individual rights, democracy and guaranteeing efficiency, are mirrored in the doctrine of separation of power. The doctrine also enhances the efficiency of public authority by assigning public power not only to different state bodies, but to the state bodies which are best equipped to execute that function (Kandich, 2012: 27). Simply said, separation of powers refers to the division of responsibilities and rights into distinct branches in order to limit any one branch from exercising the core functions of another, which helps to prevent the concentration of power in only one place.

2. CHECK AND BALANCE SYSTEM IN THE REPUBLIC OF NORTH MACEDONIA

The check and balance system in one country is regulated through the way how the power in that country is divided. The separation of power in the Republic of North Macedonia is legally regulated by the Constitution of the Republic. The Constitution and constitutional acts are the source of all branches of the legal system. Namely, the Constitution is the act which provides the highest legal protection for the issues that it regulates, because with no other legal regulation (laws, bylaws, etc.) those issues cannot be regulated differently (Davitkovski and Pavlovska-Daneva, 2018: 33). According to the Constitution, the power in the Republic is separated in three pillars: legislative, executive and judiciary, which are called pillars of democracy. These pillars are separated in such a way that each authority can be controlled and supervised by another, so that it could not be unlimited in its power. The control exercised by the bodies of the political authority is defined as political control. The term political control covers all the legal powers and factual possibilities of the electoral bodies of the political power that influence the work of other bodies of the state government, primarily the work of the executive and administrative bodies, their responsibility towards

the representative bodies and the way of checking whether the action of these bodies is in accordance with the policy that the representative bodies determine in their acts (Gusheva, 1997: 7).

2.1. The Legislative Branch

The Assembly of the Republic of North Macedonia is considered as a representative body of the citizens of the country in which the legislative power is located. The basis of the Assembly is a stable legal framework. Laws guarantee adequate resources and formally provide for an independent, transparent Assembly that meets integrity requirements (Taseva et al., 2016: 55). The organization and functioning of the Assembly are regulated by the Constitution and by the Rules of Procedure. The international term “parliament” is also being used for this state body. Namely, this body is a gathering of members of the Assembly, i. e. parliamentarians. The members are elected in general and direct parliamentary elections, with a mandate of four years, and they perform their parliamentary function professionally (Janevski et al., 2006: 27). It is important to mention that it is composed of 120 to 140 deputies, which number varies depending on the members elected by the diaspora.

The responsibilities, duties and rights which the Assembly possesses are as follows: adopts and changes the Constitution; determines public taxes and fees; adopts laws and gives the authentic interpretation of laws; adopts the spatial plan of the Republic; adopts the budget and the balance of payments of the Republic; makes decisions concerning the borders of the Republic; decides on war and peace; ratifies international agreements; makes decisions on association in and as well as disassociation from any form of community or union with other countries; sets up councils; makes decisions concerning the reserves of the Republic; issues notice of a referendum; elects the Government of the Republic of Macedonia; carries out elections and discharges judges; proclaims amnesties; selects, appoints and dismisses other holders of public and other office determined by the Constitution and law; elects judges to the Constitutional Court of the Republic; carries out political supervision and control of the Government and other public office holders which are responsible to the Assembly; adopts declarations, recommendations, resolutions, decisions, and conclusions.

2.2. The Executive Branch

The executive power in the Republic of Republic Macedonia is bicephalously organized and is exercised by the President of the country and the Government. The role of the President is regulated in the highest legal act in the country, i. e. the Constitution of Republic of North Macedonia. According to it, the duty of the President of the Republic of North Macedonia is incompatible with the performance of any other public office, profession or

appointment in a political party. Moreover, the President is granted immunity. The President of the Republic of North Macedonia is the head of state, part of the executive branch, elected by the citizens, performs his/her functions according to the Constitution and the laws and, finally, has partial political and full criminal responsibility (Janevski et al., 2006: 34). The duties, obligations, responsibilities and rights of the President are as following: dismisses and appoints by decree ambassadors and other diplomats abroad; proposes two judges in the Constitutional Court; nominates a mandator for constitution of the Government; accepts the letters of recall and credentials of foreign diplomats; appoints three members to the Security Council; proposes the members of the Council for Inter-Ethnic Relations; proposes two members of the Republican Judicial Council; grants pardons, decorations and honors according to the law.

The Government in the Republic, in which is located the executive authority, determines the policy of carrying out the laws of the legislative body; proposes a spatial plan; proposes laws; proposes the budget; adopts bylaws and other acts; proposes decisions concerning the reserves of the country; provides appraisals of drafts of laws submitted to the Assembly by bodies which are authorized; lays down principles on the internal organization and work of the state bodies; establishes consular and diplomatic relations with other countries; proposes appointing ambassadors abroad; decides on the recognition of countries and governments; proposes a Public Prosecutor; dismisses and appoints public office holders and other office determined by the Constitution and laws; makes decisions whether to be opened consular and diplomatic offices abroad. (Siljanovska-Davkova and Shkarikj, 2015: 735-736). Taking into consideration the mentioned duties, the Government achieves two goals: it specifies the laws and enables their application in practice, and ensures the unity in the functioning of the state government.

2.3. The Judicial Branch

In the Republic of North Macedonia there is the Supreme Court of Macedonia, the Higher Administrative Court, the Administrative Court, four appellate courts and 27 basic courts. Moreover, the Constitutional Court must be mentioned, which is an independent body from other bodies of the state government. The Judicial Council of the Republic was first introduced with the Constitutional amendments of 2005. With its work, the Judicial Council prevents political influence in the judiciary. Members of the Council may not engage in party activity, and political organization and action of the Council is prohibited. The work of all these courts and councils is most important to be based on the following: protection, respect and promotion of human rights and basic freedoms; impartial application of the law regardless of the position and capacity of the parties; ensuring equality, equity, non-discrimination on any basis; and ensuring legal security based on the rule of law.

3. PARLIAMENTARY CONTROL OVER THE WORK OF THE GOVERNMENT

The separation of powers is based on the rule of law and democracy. The rule of law is opposite of the rule of power. It stands for the supremacy of law over the supremacy of individual will (Meyerson, 2004: 1). As already mentioned, according to the Constitution, laws, bylaws and other legal acts, the power in the Republic of North Macedonia is separated into legislative (the Assembly), executive (the President and the Government) and judiciary (courts). In order to be seen how this separation works in practice, the relation between the legislative and the executive (the Assembly and the Government) is going to be taken in account. In accordance with the laws and bylaws, the Assembly enjoys the right and has the opportunity to exercise control over the work of the Government. Namely, the Assembly has at its disposal several mechanisms and procedures to exercise this right. Here it must be stressed that this control does not mean bringing the independence and autonomy of the executive power into question. This ensures holders of the executive power do not ignore the constitutional and legal frameworks, that they do not turn into arbitrariness and anarchy, that they respect the decisions brought by the Assembly which are expressed in the laws and other legal acts.

Perhaps the most important role that the Assembly has, in addition to performing its legislative function, is, in fact, political control over the Government. The examination and the related concept of accountability are increasingly highlighted as important to the work of parliaments. However, the examination is tied to an accountable and responsible Government. Hence, full efficiency requires responsible behavior by the Government (Korunovska-Avramovska, 2012: 19). The political control exercised by the Assembly over the work of the Government is defined by several elements: - political control is a process through which the Assembly continuously monitors, checks and evaluates the work of the Government; - political control is a set of means, powers, rights and mechanisms that the state gives to the Assembly in the highest legal act - the Constitution; - in the exercise of political control, the Assembly may request the establishment of political responsibility of the Government with appropriate consequences.

Although the political control of the members of the Assembly enables them to control the work of the Government, the function of the Assembly should not consist in controlling the Government, but in the fact that the will of the Assembly acts as a forum for critical consideration of Government decisions and as a focus for opinions that rule outside the state structure, i.e. the House of Representatives should be the holder and guarantor of governing by way of public opinion (Jennings, 1959: 19). In any case, political control lies somewhere in between. It must be a guaranteed function of the Assembly that will be carried out for the purpose of determining the responsibility of the ministers and the Government, so it will act a posteriori, but since it does not have to be effective, the control established in this way always stands as a

threat, so it acts as a lamentation a priori. Established as a constitutional function of the Assembly, it ensures the ministerial responsibility before the Assembly, in such a way that it gives the ministers sufficient independence to undertake activities and measures for the consistent implementation of Government policy. But at the same time denies them such a degree of independence that would lead them to position to ignore the Assembly and public opinion (Gusheva, 1997: 8). The purpose of political control is insight into the work of the Government with the intention of assessing whether its work is effective and whether established principles, rules and procedures are being implemented and whether the public interest and the interest of individuals in that sphere are protected.

By establishing the independent scope of the bodies, in order to ensure a balanced government, the Constitution also provides several mechanisms for cooperation, control and influence in the mutual relations of the holders of power, but in a way that does not call into question their independence and autonomy. Moreover, in accordance with the laws and bylaws, the Assembly enjoys the right and has the opportunity to exercise political control over the work of the Government, by having at its disposal several mechanisms. Here it must be stressed that this control does not mean bringing the independence and autonomy of the executive power into question. This ensures holders of the executive power do not ignore the constitutional and legal frameworks, that they do not turn into arbitrariness and anarchy, that they respect the decisions brought by the Assembly. For this reason, the subject of political control is the entire work of the Government and the work of its members in terms of whether they achieve the goals of the Assembly contained in the Constitution and the law, then the method, the manner, the procedures according they act are expedient. The supervisory function and mechanisms of control that the Assembly of the Republic of North Macedonia has over the work of the Government are realized through the following mechanisms: parliamentary questions, interpellation, survey commissions, a vote of no confidence of the Government and supervision debates. In this study, interpellation is taken into account in more detail and more concretely, as one of the mechanisms by which the Assembly of the Republic of North Macedonia exercises control over the work of the Government.

3.1. Parliamentary Questions

Parliamentary questions are one of the basic mechanisms enabling to ask the Government relevant questions. This form of political control allows the deputies of the Assembly, and especially the opposition in it, to question the activity of the Government and the work of each minister, without to be raised the question of the responsibility of the Government (Debard, 2002: 133). In fact, parliamentary questions represent the primary and the simplest means through which the Assembly exercise control over the Government. In the beginning, the parliamentary questions appeared as an information tool,

but later they are more often used by the opposition like an opportunity to criticize the work of the Government. However, the parliamentary questions are not only asked in order to get an answer to the requested information, but, more often, for the opposition to present to the citizens how efficiently and professionally the Government works.

A parliamentary question can be asked by any member of the Assembly of the Republic. It is about a specific question that the member of the Assembly asks the minister or the president of the Government in connection with their work. It must be short and to the point, without requiring a search. The member of the Assembly is obliged to indicate to whom he/she is addressing the question. The question is asked orally or in writing. A session of the Assembly is convened on the last Thursday of the month to ask parliamentary questions. The member of the Assembly can ask a maximum of three questions per week (Siljanovska-Davkova and Shkarikj, 2015: 651-652). By determining a fixed term for parliamentary questions, the members of the Assembly have the possibility to ask them regularly and receive an answer during the session.

However, even if answers are given to the most of the parliamentary questions, this does not confirm that it is a successful mechanism for control over the work of the Government. Namely, most of the answers are not at all specific and do not provide the requested information. Moreover, the very fact that the member of the Government is not obliged to give an answer to the question, and at the same time he/she is not responsible for his/her silence and ignoring the question, confirms that parliamentary questions as a mechanism are a kind of communication, and that is optional, and perhaps one sided, between these two branches. And if the member of the Assembly receives an answer to the question asked, he/she can only state whether he/she is satisfied or not with the answer, which means there is no responsibility. To conclude, the parliamentary questions are not a means through which responsibility can be raised for the Government or any of its members, but they are a mechanism for conducting an insight into the work of the executive power.

3.2. Interpellation

The appearance of the interpellation as a mechanism for exercising control by the Parliament over the work of the Government is the result of efforts for the Parliament to have stronger means and mechanisms to control the work of the Government, in order to avoid arbitrariness of the members of the Government in the exercise of their responsibilities. Hence it follows that through the interpellation, the Parliament, as a representative of the will of the people, tries to ensure more effective control over the Government. According to some theorists, including Markovich, the interpellation is a “special form of question” that resembles some kind of criticism or objection regarding the work of the government and which has a more serious character because the interpellated minister must defend and justify his work (Markovich, 1991: 64).

The purpose of the interpellation is to open a debate on an issue of wider interest for the country. Other members of the Assembly can participate in the debate on such an issue. This is not about information, but about a discussion and a search, possibly, it is about raising the question about the responsibility of the minister or the Government as a whole. One fact is worth mentioning, and that is that all the interpellations so far in the Republic of North Macedonia have been submitted by the opposition parties. It is the best evidence that parliamentary control and supervision depends mostly on the activity of legislative parties which are in opposition (Gusheva, 1997: 154). The emergence of the interpellation as a mechanism for political control over the work of the Government is the result of the efforts for the Assembly to have stronger mechanisms for controlling the executive power.

The right to the members of the Assembly of the Republic to submit an interpellation is given in the Constitution of the Republic of North Macedonia. According to the Article 72 of the Constitution, an interpellation is submitted by at least five members of the Assembly about the work of each public office holder. In other words, the work of the Government, each of its members and all state bodies individually can be subject to interpellation. In addition, the interpellation is submitted in written form, signed by all the deputies who submit it, and submitted to the President of the Assembly. The subject to whom the interpellation has been placed has the right to submit a written report to the President of the Assembly, no later than within 15 days from the day of receipt of the interpellation. One of the members of the Assembly who submitted the interpellation has the right to explain the interpellation at the session of the Assembly, during 20 minutes. The subject to whom the interpellation has been placed has the right to explain his/her report or give an answer, also within 20 minutes. The investigation after the interpellation ends with a conclusion (Siljanovska-Davkova and Shkarikj, 2015: 656-658).

With the interpellation, as a mechanism for control that the Assembly has over the work of the Government of the Republic of North Macedonia, the opposition uses the opportunity for greater transparency by introducing the public to the opinions and criticisms of the work of the Government. Namely, considering that the interpellation procedure foresees a vote, this mechanism provides an evaluation of the policy implemented by the Government. By submitting the interpellation, the opposition does not want to criticize the minister to whom it submits the interpellation, but the overall work and the general policy conducted by the Government.

From the analyzed data from the Assembly of the Republic from 2008 to 2018, in 2008 no interpellation was filed, in 2009 only two, in 2010 there was the largest number of filed interpellations - six, in 2011 one interpellation was filed, in 2012 two interpellations, in 2013 and 2014 there are none, in 2015 only one, in 2016 also one, in 2017 there is one filed interpellation and in 2018 there are two interpellations filed by the members of the Assembly of the Republic of North Macedonia. Regarding the data, in the period from 2008

to 2018, no interpellation was voted positively by the majority, i. e. no member of the Government has borne responsibility.

Of all the interpellations submitted in the mentioned period, one interpellation will be singled out as an example. Namely, an interpellation was filed against the Minister of Justice Mihajlo Manevski on 26th of February 2010 by 23 members of the Assembly. In the interpellation it is said that the Minister of Justice, Mr. Mihajlo Manevski, completely endangered the independence and impartiality of the judiciary, placing himself in the protection of crime in the ranks of the government led by VMRO-DPMNE Minister Manevski, who entered the Government of VMRO-DPMNE four years ago as a former chairman of the Anti-Corruption Commission, is rarely exposed to fierce criticism from the public, but also from NGOs and politics. But, despite the numerous scandals surrounding his name over the illegal receipt of a ministerial salary and pension, delaying his wife's retirement, inappropriate public outbursts threatening judges, yet he, despite being on the pillar of shame several times, regularly saved his head. As key reasons for submitting the Interpellation, the following is pointed out: 1. Nepotism in the judiciary; 2. Irregularities in the financial operations of the Minister of Justice; 3. The scandal with the usurped socially owned land; 4. Extremely poor conditions in Macedonian prisons; and 5. Political pressure on the work of judges. As for the voting, 98 members of the Assembly were present, of which 81 voted, 16 for the adoption of the interpellation, 0 abstained, while the largest number of those who voted against, which is 65 members. As it can be seen, despite the facts which are stated about the Minister of Justice Mihajlo Manevski regarding the claim that he affects the independence of the judiciary, that he illegally received a salary and pension at the same time, that his wife delayed her retirement, that he used state land, still the members of the Assembly consider him worthy and deserving of the post of Minister of Justice. Despite the stated part of the submitters of the interpellation at the end of it, quoting, "The biggest reform of the judiciary will be the removal of the Minister of Justice Mihajlo Manevski. His departure will be the first step in the fight against corruption and crime in the Republic of Macedonia and the return of faith in the judicial system. We expect support from all parliamentary groups in implementing the recommendations of the European Commission for an intensified fight against corruption", their call is not heard by the other members of the Assembly, so this interpellation ends in favor of the official.

Mihajlo Manevski was Minister of Justice of the Republic of North Macedonia from 2006 to 2011. After VMRO-DPMNE's victory in the 2006 elections, Manevski was elected Minister of Justice in the Government. In 2008 he was re-elected to the same function, which remained until 2011. Upon completion of the government's mandate, Mihajlo Manevski continued to be politically active. Namely, he was an adviser in the City of Skopje from the political party VMRO-DPMNE, and his wife was adviser to President of the Republic Gjorge Ivanov.

Through the all interpellations which were submitted during the period from 2008 to 2018, the Assembly initiated procedures for evaluating the work of individual executive officials and questioned their expertise, efficiency, legality and competence, their attitude towards the exercise of the rights and duties arising from their functions. All interpellations were submitted on a specific occasion or event that was current or significant at that moment and which affects a wider public interest.

Here we face the fact that in the Republic of North Macedonia the majority of members of the Assembly are part of the ruling party, i. e. the same ruling political party has the majority in the Assembly and holds the executive branch as well. The ministers in the executive branch and the majority of the members of Assembly, that is legislative branch, are from the same political parties. This leads to conclusion that in Macedonian history, this mechanism is not very effective. Although interpellations were often initiated within the Assembly, they always ended in failure.

However, the fact that the interpellation is a powerful tool for political control in the hands of the opposition through which it criticizes the Government's work cannot be ignored. This allows the public to receive information about the dissatisfaction of the opposition members of the Assembly, but also insight into the counter-arguments of the members of the Assembly from the majority who defend the policies of the Government.

3.3. Survey Commissions

The survey commissions, as a mechanism for control over the work of executive power, do not participate in the legislative process. Namely, their role is only informative, without any powers related to judicial authority. The survey commission is a body formed in a parliamentary assembly, with the aim of performing the function of political control (Debard, 2002: 54). These bodies are formed from among the members of the Assembly and they can be formed for any issue from any department. At the request of the survey commissions, all the authorities of the administration and other state authorities, as well as individuals, are obliged to submit to them the documentation they have. The survey commissions report the results of their work to the chamber that established them, and it decides whether further proceedings will be initiated or not. An exception to this rule is the Commission for Protection of Civil Liberties and Rights, that is a standing survey commission.

Although the survey commissions are supposed to represent a significant mechanism for control over the executive power because the findings they reach are the basis for initiating a procedure to determine the responsibility of members of the Government, in practice, it can hardly be said that the Assembly uses such a normative possibility sufficiently. The Assembly does not use the possibility to exercise control over the Government

through the survey commissions as a mechanism for control due to insignificant approach in the work of the commissions, and, moreover, due to the absence of regulations. This is indicated by the fact that in the work of the survey commissions there are widespread political obstructions in the sense of prolonging the sessions, untimely delivery of information, not holding hearings, delivery of incomplete data from other executive bodies and many other activities that contribute to the fact that the survey commissions do not actually complete the work for which were founded. The mentioned leads to a conclusion that this mechanism does not often provide the Assembly with executive accountability.

3.4. A Vote of No Confidence of the Government

The Government's confidence issue is considered as the strongest mechanism available to Assembly to exercise control over the Government. Karl Lowenstein, the German professor, figuratively describes the reciprocal action of the Assembly and the Government as the action between the piston and the cylinder of the car engine: the vote of no confidence in the Government by the Assembly and the dissolution of the Assembly by the Government enables the wheels of the complex parliamentary system to constantly move forward. According to him, it is considered as a magic formula for establishing a dynamic balance between the Assembly and the Government (Lowenstein, 1957: 185-186).

The Government and each member are accountable to the Assembly for their work. According to the Articles 92 and 93 of the Constitution, a vote of no confidence in the Government may be initiated by a minimum of 20 members of the Assembly. The vote of no confidence in the Government is taken after three days have elapsed from the day of its proposal. Another vote of no confidence in the Government may not be proposed before 90 days have elapsed since the last such vote, unless proposed by a majority of all members of the Assembly. A vote of no confidence in the Government is adopted by a majority vote of all the members of the Assembly. The Government itself as well has the right to raise the question of confidence.

The actual functioning of the constitutional organization of the Government and the relations between the holders of power are determined by whether it is a firm or unstable inter-party coalition. The party that won the majority of votes in the elections has also secured an absolute parliamentary majority. It means that it forms the Government and ensures its stability at the same time. That is why the opposition much more uses other mechanisms for control over the work of the executive. Mostly, votes of no confidence are raised by the opposition and refer to events or situations from different areas of life and the actions of the Government. And, in general, the survival of the Government is expected and predictable.

3.5. Supervision Debates

The purpose of holding the supervision debates, as a mechanism for control over the executive power, is to obtain information on the implementation of the adopted laws, as well as to obtain expert opinions on the implementation of certain governmental policies. The supervision debate is conducted by the working body of the Assembly of the Republic of North Macedonia, whose scope includes the issue that is the subject of the supervision debate. In order to hold the supervision debate, the president of the working body informs the President of the Assembly, who then informs the Government in writing with a request to appoint authorized representatives for the issues that are subject to the supervision debate. During the debate, the members of the working body, as well as the members of the Assembly that are not part of the working body can ask questions to the authorized representatives of the Government, only regarding the issue which is the subject of the supervision debate. After the end of the supervision debate, the working body submits a report to the Assembly, and can propose conclusions that are submitted to the Government.

As it was seen from the analyzed data, supervision debates are not a mechanism that is often used by the members of the Assembly. They are not considered as an effective control mechanism. Actually, in implementing this mechanism, it is found that the citizens, organizations, municipalities, and institutions fail to take the opportunity to initiate the implementation of this mechanism.

Conclusion

After the independence of the Republic of North Macedonia and the acquisition of independence with the Constitution of 1991, the new constitutional order was established in the Republic. The Constitution regulated the division of power into three branches, legislative, which is headed by the Assembly, executive, which is shared by the President of the Republic and the Government, and judicial, that belongs to the courts.

The parliamentary control exercised by the Assembly over the work of the Government in the Republic of North Macedonia is related to the concept of separation of powers. With these two concepts, parliamentary control and the division of power, the checks and balances system is established, which prevents arbitrariness among the authorities. In order to exercise control over the work of the Government, the Assembly uses parliamentary questions, interpellations, survey commissions, a vote of no confidence in the Government and supervision debates as mechanisms. Despite their existence, it can be said that they exist mostly in theory in the case under consideration. None of the executive members has borne responsibility so far, although each of these mechanisms were submitted and initiated.

In this article, among the parliamentary means for controlling government actions, interpellations are used by opposition to challenge the ruling party which dominates the parliament. The purpose of submitting interpellations is to demand responsibility; however, none of the executive officials has borne responsibility. As seen above, in the period from 2008 to 2018 only 16 interpellations were submitted. All of them were submitted by the opposition, but none of them was voted positively, i. e. no holder of executive office took responsibility, but continued to perform his/her function. What is achieved with the interpellations is only familiarizing the public, that is, the citizens, with the actions taken by the holders of the executive power, which, according to the opposition, are not correct and are not legal. But when it comes to voting on the submitted interpellation, the majority in the Assembly wins, that is, the party from which the Government was formed.

The conclusion follows from the above that in the Republic of North Macedonia the parliamentary control exercised by the Assembly over the work of the Government, regardless of which party or coalition is in power, right-wing or left-wing, is hardly effective and, even more, hardly objective, due to the fact that the majority of members of the Assembly are from the same political party which holds the executive power in the Republic, i. e. the ruling party, values of politicians, political culture, attitudes.

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