

CONSENSUAL (MULTIPARTY–NORTHERN EUROPEAN TYPE) PARLIAMENTARY MODEL AND CONSENSUS DEMOCRACY: THE NORTH MACEDONIAN EXPERIENCE

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ABSTRACT

This paper analyses the compatibility of the government system of the Republic of North Macedonia with the consensus parliamentary democracy model developed by Arend Lijphart from a legal and political perspective. Our hypothesis is that the constitutional and institutional structure of North Macedonia largely bears the characteristics of a consensus parliamentary system; however, due to the lack of a fully established democratic political culture and ethnic/ideological polarizations, it has not been able to fully reach the consensus parliamentary model. Accordingly, our thesis is that the electoral system, multi-party structure, and mechanisms such as the double majority (Badinter) principle that ensure the participation of minorities in the political process in North Macedonia theoretically bring the country closer to consensus parliamentarism; however, in practice, it has not been able to fully realize this model due to political polarization and lack of democratic culture. The article consists of four sections. In the first section, the classification and basic criteria of the parliamentary system are evaluated in the light of classical and modern approaches. In the second section, the conciliatory parliamentary government model and its basic features are analyzed based on Arend Lijphart's criteria. In the third section, the current state of the legislative and executive mechanisms in North Macedonia is examined within the framework of the 1991 Constitution and the 2001 Ohrid Framework Agreement. In the last section, the conformity of the country's government system to the conciliatory parliamentary model is evaluated according to Lijphart's criteria, and the strengths and weaknesses are discussed.

Keywords: Conciliatory (Consensual) Democracy Model, Arend Lijphart Method, Northern European Type Government Model, Republic of North Macedonia, Multi-Party Parliamentarism

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342.5:321.72(497.7)

Declaration of interest:

The authors reported no conflict of interest related to this article.

INTRODUCTION

This article was prepared to assess the degree to which the constitutional government system of the Republic of North Macedonia complies with the model of consensual parliamentary democracy defined by Arend Lijphart. The methodology of the study is primarily based on literature review and comparative constitutional law analysis. In this context, academic articles and legal studies scanned in international and national indexes such as WOS (Web of Science), EBSCOhost, Scopus, Google Scholar and Dergipark were systematically examined. In addition, primary sources such as the European Commission's Progress Reports on North Macedonia and the 2001 Ohrid Framework Agreement were also analyzed.

The article consists of four main sections; Firstly, the classification and basic criteria of the parliamentary system, the general theoretical structure of the parliamentary system are evaluated in the context of classical and modern classifications. In the other subheading, within the framework of the conciliatory parliamentary government model and its features, in line with Arend Lijphart's criteria, the basic features of conciliatory democracy models and sample countries were analyzed. In the third part, the current situation in the legislative and executive mechanisms in North Macedonia is examined, especially the institutional and constitutional structure of the government system of North Macedonia after the 1991 Constitution, the effects of the Ohrid Framework Agreement of 2001 and the Badinter voting principle are examined. In the last part, the characteristics of the consensual parliamentary system of government in North Macedonia are examined, the current political and constitutional structure of the country is analyzed within the framework of Lijphart's criteria for consensual democracy, and the strengths and weaknesses are discussed. The conclusion emphasizes that the institutional design of North Macedonia is largely compatible with consensual democracy; however, the practical shortcomings of consensual behavior prevent the country from fully realizing this model and that a certain amount of time is needed for its realization.

1. Classification of the parliamentary system and basic criteria

The parliamentary system, like other forms of government, has blended with the political structures and cultural characteristics of different states, giving rise to various types of parliamentary models. These subtypes not only share the core principle that governments must operate with the approval and confidence of the legislature, but also differ based on variations in political parties, electoral systems, and political cultures. (Boyunsuz, 2014, s. 21). The traditional, or classical, classification of the parliamentary government model is generally accepted as dualist (secondary, Orleanist) parliamentarism, monist (singularist) and British Westminster type parliamentarism based on the relationship between the legislative and executive bodies. (Anayurt Ö. , 2020, s. 367-371). When we look at the salient features of the system, it is stated that the powers are equal and cooperate, the executive is in a dual structure, the executive comes to power with the approval of the legislature, the president is free from responsibility, the government is the responsible part and the executive has the authority to dissolve the legislature. (Баковска, 2014, стр. 106-108).

However, over time, differences in practice have revealed different situations beyond the criteria we have stated above, and in later periods, it has been necessary to make different classifications and namings using certain criteria. Especially regarding the parliamentary government model, it has been divided into various subtypes by different authors based on different criteria. Sartori, while evaluating and measuring parliamentary systems, has classified three different models by taking the relations between the legislature and the executive as the basic criterion. So, he stated that the British type parliamentary system with a presidential predominance, pure parliamentarism and party-controlled parliamentarism with mixed features. (Sartori G. , 1997, s. 137). In the British Westminster government model, there are single-party governments and strong prime ministers, while in the pure parliamentary government model, there are many parties and relatively weak governments. In party-controlled parliamentarism, there are practices that lead to effective and uninterrupted governments, along with a large number of parties and a proportional representation system, dominant party structures. (Sartori G. , 1997). According to another widespread classification, the parliamentary system is classified according to the

structure of political parties, that is, according to the composition of political parties that are effective in the formation of governments, such that single-party governments are coalition governments in which a single party is dominant and in which many parties are present. In the classification mentioned, the differences between single-party and multi-party governments are explained according to the electoral systems. In fact, proportional representation systems with no or very low electoral thresholds and electoral models that no longer allow major political parties generally present a structure where many parties are represented in parliament and lead to coalition governments. (Weaver & Rockman, 1993, s. 19-20).

Lijphart, with a similar idea, focuses on the criteria of the electoral system and the number of parties while explaining the differences between the parliamentary government model (democracy), which he calls Westminster democracy, and the multi-party parliamentary systems, which he calls consensus democracy. (Lijphart A. , Patterns of Democracy: Government Forms and Performance in Thirty-Six Countries, 1999, s. 13-16). According to Arend Lijphard, the fundamental question that separates these two subtypes of parliamentary government systems is; whose interests should the government serve? The first answer to this question is that the government should serve the interests of the majority of the people, or the second answer is that the government should serve the interests of as many people as possible. The first answer would constitute the majoritarian, the second answer would constitute the consensual democratic parliamentary model. (Lijphart A. , October 4, 1998 21(2) , s. 99-108).

Constitutional law professor Kemal Gözler also accepts Lijphart's criterion and classification as such and argues that the most accurate classification should be this way. (Gözler, 2016, s. 269-271). The parliamentary system has been considered as a system that is suitable for pluralism and advantageous in terms of democracy, and since this system is not person-centered but institution-centered, it may be possible for many political parties to become governments through coalition governments. It should not be overlooked that the system is also open to the formation of a single party. (Shugart, 1997, s. 452). Another strong feature of parliamentarism is that it provides flexibility to the government system in the face of political crises. This flexibility is essentially related

to the existence of the legislative and executive branches' authority to terminate each other's legal existence. The legislative branch can overthrow the government with a "vote of no confidence. In return, the executive branch can dissolve the legislature and take the country to elections. In parliamentary systems, the "power to dissolve" is used by the head of state. (Şahin, 2014, s. 39-40). The parliamentary regime is a system that has weapons against deadlocks and crises thanks to the institutions of confidence vote and dissolution (going to new elections). Due to these features, it is also accepted as the "most natural and logical" system of government. (Özbudun, 2005, s. 108).

On the other hand, Allan Siaroff proposed a different classification, measuring the degree of government control over parliament and the inverse proportion to the decline in the power of the MPs. Siaroff identified the existence of three types of parliamentary systems; respectively, fusionist systems dominated by the cabinet, polarized systems, and segregationist systems where the decision-making process is based on cooperation. (Siaroff, 2003, s. 448-459). Another interesting and important assessment in the classification of parliamentary systems was made by Strom. He used the criterion of check and balance mechanisms as the element and feature that explains the differences in functioning. By looking at the elements that stop and balance the governments, which are the responsible part of the executive, an attempt has been made to explain both the reasons for the structural differences of political institutions and the functions of the institutions. According to the author, three types of parliamentary systems are applied on this criterion axis, namely; Westminster model parliamentary system, limited parliamentary system and multi-party parliamentary systems. (Strom, 2003, s. 76-77).

2. The Conciliatory Parliamentary Government Model and Its Characteristics

Arend Lijphart shows Switzerland and Belgium as examples of the consensual democracy model. According to him, the aim of this model is not to concentrate political power in the hands of a single majority group, but to It is shared in a balanced manner among different social segments. (Vatter, 2007, s. 148-171). Consensual democracy is based on the sharing of power, its distribution among social groups and its limitation through various mechanisms, by preventing the concentration of power in a certain

group. (Lijphart A. , Patterns of Democracies: Government Forms and Performance in Thirty-Six Countries , 1999, s. 34).

He explains the characteristics of the consensual democracy model as follows:

1. In consensual democracies, executive power is shared by various parties within broad coalition governments.
2. In consensual democracies, there is a balance of power between the executive and the legislature.
3. In consensual democracies, there is a multi-party system.
4. In consensual democracies, a proportional representation electoral system is applied.
5. In consensual democracies, there is "interest group corporatism". In consensual democracies, there are large and effective labor and employer unions, various professional organizations (corporations).
6. In consensual democracies, there is federal and decentralized government.
7. In consensual democracies, the powers of the first and second chambers are either equal or more or less close to each other.
8. In consensual democracies, there is a written and strict constitution.
9. In these democracies, there is judicial review of the constitutionality of laws.
10. In consensual democracies, the central bank is independent. (Lijphart A. , 2016, s. 57-65).

The consensual democracy model is a special management approach adopted in states with a pluralistic structure that contains deep social differences in terms of ethnicity, language, religion and culture. It is seen that this model is applied in countries where constitutional pluralism is evident, such as Switzerland, Belgium, Canada and Spain. In these countries, the fact that only a certain segment of society holds political power continuously may lead to the exclusion of other groups from administrative processes and the undermining of the constitutional principle of equality. Therefore, the consensual democracy approach is

based on the structural participation of not only the majority group but also political minorities in decision-making processes. (Gözler, 2016, s. 271). In this system, the representation and participation in government of groups that cannot form an absolute majority in elections must be guaranteed; otherwise, in conditions where the population structure remains static, the political parties of minority groups may be permanently condemned to opposition. This situation is incompatible with the representative justice principle of democratic legitimacy. Consensual democracy rejects a political order in which electoral losers are absolutely excluded; on the contrary, it envisages the inclusion of losing actors in decision-making processes through various constitutional and institutional means. (Lijphart & Çev. Özbudun, E., Onulduran, E., 1997, s. 25). In pluralistic societies, majority rule may take the form of majoritarian domination instead of constitutional democracy. Therefore, the model of democracy proposed for such structures is a system that prioritizes the principles of consensus, inclusiveness and shared governance among different social segments, rather than the absolute sovereignty of the majority. This management approach is called the “conciliatory” or “consensual” democracy model in the literature. (Lijphart & Çev. Özbudun, E., Onulduran, E., 1997, s. 25).

This type of government model constitutes a type of parliamentary system based on consensus, where coalition governments are established as a result of the existence of a multi-party political structure and the proportional representation system. Especially the Scandinavian countries, such as Norway, Sweden and the Netherlands, are stated as countries that exemplify this type of government system. (Boyunsuz, 2014, s. 44). This model of parliamentary government, also referred to as “minority parliamentarism,” is characterized by the fact that the number of parties seriously aspiring to power is three or more, and in environments where the proportional representation system is implemented, minority or coalition governments formed by parties that fail to win a majority are common. (Lewin, 1998, s. 195). The most common institutional feature of this type of parliamentary system is the electoral system based on proportional representation. This system allows for the proportional representation of various groups (ethnic, ideological or socio-economic) in society in the parliament, while at the same time facilitating the active role of many political parties in the political process

and their representation in the legislative body. (Gallagher & Mitchell, P. (Eds.), 2005, s. 239-276).

As a natural consequence of the multi-party political system, single-party governments are rare in such countries. Instead, political power is usually exercised through coalition governments, often formed by the cooperation of two or more parties, or through minority governments that do not have an absolute majority in parliament. According to Lewin, in the Swedish case, with periodic exceptions, minority governments have been more common than majority governments; indeed, the average parliamentary representation rate of governments in office between 1920 and 1994 remained at approximately 41.5%. (Lewin, 1998, s. 196). The power to dissolve parliament and to renew early elections is limited in many countries. For example, early elections or dissolution of parliament are not possible in Norway. In Sweden, even if parliament is renewed, the newly elected parliament will serve the remaining term of the previous term. The differences on this issue do not end there. In countries such as Sweden, the Netherlands and Norway, it is constitutionally impossible for ministers to serve in parliament at the same time. In these countries, when a person is appointed as a minister, their term as a member of parliament automatically ends. This encourages the selection of government members from outside parliament. In fact, in Sweden, the number of candidates from outside parliament has been increasing in ministerial appointments in recent years. (Arter, 2004, s. 584-587). Similarly, in the Netherlands, ministers are often chosen from outside parliament based on their expertise in certain areas. (Strøm, 2000). These arrangements provide a clear separation of legislative and executive powers, thus alleviating the "fusion of powers" common in classical parliamentary systems. As a result, the legislature in these countries has a more autonomous and powerful position than in other parliamentary democracies. (Sartori G. , 1997). In this system, the functional separation of the legislature and the executive is more clearly seen than in other parliamentary models. As in the Dutch example, bills that cannot be finalized in a legislative period are not automatically dropped in the next period and the legislative process continues uninterrupted. Moreover, the parliamentary agenda is determined directly by the speaker of the parliament without government intervention, which reinforces the

autonomy of the parliament vis-à-vis the executive. (Andeweg & Nijzink, L. , 1995).

In modern parliamentary democracy's pluralistic models, the legislature is not fully integrated with the executive and can effectively maintain its supervisory and restrictive role. This structure softens the sharp "government-opposition" distinction seen in traditional majoritarian systems, allowing opposition parties to actively participate in the legislative process.

The basic features of this system can be listed as follows:

- Inclusive Legislative Process: Opposition parties can play an active role in parliamentary work, especially in legislative committees, and can contribute to the policy-making process.
- Distributed Power Structure: The system encourages sharing of power rather than concentration in a single hand, and requires legislative and executive activities to be carried out with broad-based consensus.
- Culture of Consensus: The flexibility of political actors in resolving disputes and their openness to practical solutions supports the development of a political culture based on consensus.
- Checks and Balances Mechanism: These features contribute to the formation of effective control and balance of power within the system. (Müller & Strom, K. (eds.), 2020).

In multi-party systems, the prime minister is in a position of coordination among equals. A prime ministerial structure is not exhibited. Decisions are made as a board within the cabinet, which exhibits homogeneous characteristics. Government policies are discussed, voted on and decided in the cabinet. While there are clear constitutional rules in some countries that decisions will be made by a majority vote in cabinet meetings and that the prime minister's vote can be counted as two votes in the event of a tie (Norway Constitution, Article 13), in some, there are constitutional regulations that only the cabinet will make decisions by a majority vote (Denmark Constitution, Article 18). In addition, there are regulations stating that government policy will be determined in cabinet meetings and that ministers who think differently from the majority can add a dissenting opinion to the minutes kept in cabinet meetings (Swedish Constitution, Chapter 7, Articles 3 and 6).

Also in this system, the ability of cabinets to govern depends on their ability to stand in the center and attract representatives from the left and right when necessary. The ability to operate this method, which depends on the voluntary cooperation of other parties, can produce solutions that can gain the support of actors outside the extreme ends of the political spectrum. When describing the parliamentary system here, we should not talk about governments that have the trust or support of parliament, but about governments whose power the parliament does not oppose by voting no confidence. According to some, this situation means "negative parliamentarism". In such systems, governments can remain in power not by having the trust of parliament, but by avoiding votes of no confidence. In fact, the issue mentioned points to the difference in the checks and balances mechanisms and legitimating values within the political system in many ways. (Boyunsuz, 2014, s. 48).

In the Westminster model, the balance and control mechanism in the political system is provided by the regular change of power between the two major parties. In this model, the responsibility and accountability of the government to the voters constitutes the legitimacy basis of the system. On the other hand, in models based on a multi-party structure, the source of democratic legitimacy is the opening of political power not only to the majority but also to the opposition parties to a certain extent and the observance of political consensus in decision-making processes. Within this framework, minority governments can sustain their existence by producing policies that can be supported by broad social and political segments. In these models, the establishment of the balance of power is essentially based on this sharing of power. (Lijphart A. , 2012). In multi-party political systems, especially in areas where balance and control are critical in the decision-making process, such as fiscal policies and budget expenditures, economic interest groups and opposition parties are included in the process as social stakeholders acting together with the government. Such participatory mechanisms ensure that decisions are made with a broader social consensus. Parliamentary committees within the legislative body are one of the important platforms where this cooperation and exchange of views take place and where the opposition can influence the government. (Martin & Vanberg, G, 2014, s. 979–996).

Sweden has strengthened democratic participation in the law-making process at an institutional level and has constitutionally secured this

process. It has been defined as a constitutional obligation to obtain opinions from individuals, social groups and relevant public institutions that will be affected by the legal regulations being prepared. With this method, various segments are enabled to convey their opinions at the draft stage, thus laying the foundations of social consensus while still at the draft stage.

The legislative activities of the Swedish parliament are generally carried out around standing committees, which are structured in line with the duties of the ministries. Memberships in these committees are distributed according to the parties' representation in parliament. An important feature is that the committees not only prepare draft laws, but also have the authority to monitor and evaluate the implementation of the laws after they are enacted. (The Swedish law-making process. - Government Offices of Sweden). Another example of the legislative body's oversight function over the executive is seen in Denmark. In Denmark, parliamentary committees have the authority to direct written questions to the relevant ministers on behalf of the committee. Thanks to this authority, committees function as a powerful oversight tool, especially with the influence of opposition parties. (About the parliamentary committees. - Danish Parliament).

Multi-party parliamentary systems that have established institutional structures for the implementation of participatory democracy have not only diversified political representation but have also constitutionally guaranteed social rights and the rights of ethnic, religious and cultural minorities. In these systems, the inclusion of direct democratic tools such as referendums in political decision-making processes, although mostly under the guidance of elites, has served to increase social participation. (Lijphart A. , 1998, s. 99-108). The centralized sharing of power seen in Westminster-style government systems generally creates fewer problems for groups left out of power in countries where society is largely homogeneous and the ruling parties are positioned in the middle of the political spectrum. However, in polarized societies with deep social, ethnic, sectarian or regional divisions, such majoritarian models of governance can pave the way for democratic representational deficiencies, political instability and social discontent. Therefore, in societies with intense divisions, the stability and legitimacy of a democratic regime depend not only on an elected majority but also on the participation of

different social segments in decision-making processes and on a government established on the basis of consensus. The idea that no group should dominate the other stands out as the fundamental legitimating justification for politics based on consensus. (Boyunsuz, 2014, s. 51-52).

At this point, Lijphart does not agree with the view that the lack of a consensus culture in a society will absolutely prevent consensus democracy from functioning. According to him, a consensus culture can be both a cause and a result of consensus democracy. In other words, a political structure based on consensus does not have to be established solely on the basis of an existing social consensus culture; on the contrary, this culture can be developed over time through appropriate constitutional and institutional arrangements. In this context, while a consensus culture may already exist in some countries due to historical, social or political dynamics, in other societies this understanding can be built over time through institutional mechanisms integrated into the system. (Lijphart A. , 2012). Lijpart explains the institutional features required for this under ten (10) main headings: Coalition cabinets based on power sharing within the executive, balance of power between the legislative and executive bodies, multi-party system, proportional representation system, effective activity of pressure groups, federalism and decentralization, bicameral parliaments, rigid constitutions, effective constitutional judiciary, independent central bank. It is argued that even if not all of these features are present in a country, institutional features that divide power vertically and horizontally will necessitate compromise. (Lijphart A. , 1999, s. 34-41).

3. The Current Situation in the Legislative and Executive Mechanisms in North Macedonia

On November 17th 1991, the Macedonian Parliament has adopted the Macedonian Constitution as the highest legal act. They did this by placing a new social-politic system and a new politic and economic strategy on the function of the independent state of Macedonia. (Zejneli & Maksuti, B., 2016). This document, which constitutes the country's independence and social consensus agreement, is at the top of the hierarchy of norms, can be changed with a more difficult procedure than laws (with a 2/3 majority vote), is an example of a liberal constitution category that separates the legislative, executive and judicial powers on the basis of the

theory of separation of powers, and guarantees fundamental human rights. (Korbajram & Hoca, E. , (December 2021)., s. 43-53).

With the declaration of independence of the country, the socio-cultural structure, national sovereignty, the indivisible unity of the nation, the principle of separation of powers and ultimately the effort to build a nation state with a parliamentary system are primarily found in the preamble of the constitution, which reflects the spirit of the legal order. (Körbayram A. , 2023, s. 19-38). In this context, this text, which refers to historical events and important documents, was added to the historical ASNOM sessions, as well as the Krushevo state and the Founding Referendum of September 8, 1991, as well as the Ohrid Framework Agreement in 2003. (Amandman IV - Parliament, 2025).

From this point of view, the Ohrid Framework Agreement signed in 2001 in particular represents a document that has been the source of important constitutional changes. In addition, the condition that the Bulgarian people should be included in the preamble of the constitution as a minority on the path to the European Union candidacy has been put forward as a condition by the neighboring country Bulgaria and therefore represents another important issue in terms of consensus democracy. Political actors who defend the rights of the Bulgarian minority, especially in the political arena, will also create the possibility of contributing to the country's democracy. For this reason, although there is no consensus among academics, the constitution clearly states with Article 131/4 that the preamble can be changed with constitutional amendments, and apart from the other stated issues, it is possible to state that a double majority Badenter vote is required for this amendment and thus a 2/3 majority vote is required from the deputies belonging to the minority, therefore there is a broad consensus. (İBRAIMI, Korbayram, A., & Shehu, S., 2024, s. 177-184). In this way, the double majority method (Badenter principle) voting, which is an important mechanism in terms of consensus democracy and includes minorities in the decision-making mechanism, is seen to be applied as a broad consensus-providing mechanism in the Parliament's law-making phase, especially on issues that concern all citizens as specified in the constitution. This is clearly one of the important developments in terms of the country's democracy. (Korbayram & Delev, J., 2023, s. 29-44). The principle of separation of powers is clearly adopted in Article 8/2 of the Constitution, which states that state power is divided

into legislative, executive and judicial bodies. (Körbayram A. , 2022, s. 35-49).

It is clearly stated that the legislative function is carried out by the Parliament elected by the people, the executive function is carried out by the dualistic structure of the responsible party, the Government, and the irresponsible party, the President, and the judicial function is carried out by independent and impartial courts. First of all, let us state that since the judiciary is carried out by independent and impartial courts and although it has overlapping situations with the Parliament, it will not have a direct effect on the government system in this sense, therefore it will be left out of our subject. (Körbayram & Angeleska, A., 2024, s. 29-39). In addition, the impartiality and independence of the courts, especially their transparent work, are among the issues emphasized in the EU Commission progress reports, and although reforms, especially digitalization, are progressing slowly, it is essential to take the necessary steps. (Korbayram & Angeleska, A., 2023, s. 61-68).

In this context, the legislature exercises its oversight function through a range of constitutionally recognized instruments, including oral and written 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) (Zhuzhelovska & Durgun, G. B., 2023), general deliberations, parliamentary inquiries and investigations (The survey commissions, as a mechanism for control over the work of executive power, do not participate in the legislative process), motions of no confidence (interpellations), and a vote of no Confidence of the Government (confidence votes) each serving as a procedural safeguard to ensure executive accountability within the framework of the separation of powers. (Körbayram A. , 2021, s. 93-108). It should not be forgotten that, especially following the Scandinavian countries, the legislature has also adopted alternative mechanisms to more effectively supervise the executive, that is, the administration. Therefore, the Ombudsman institution, which is one of the indispensable mechanisms of modern democratic countries, was established within this framework and is an independent institution elected by the Parliament. Consequently, the

Ombudsman does not have the authority to directly intervene in the actions of administrative institutions or organizations by altering, canceling, or annulling their decisions. (Ristovska, Spiroska, E., , Veljanoska, S., , Tuntevski, N., & Masalkovski, I., 2024, s. 75-98).

However, the Ombudsman is empowered to make proposals and requests to authorities to amend laws, as well as related rules and regulations, to align them with the Constitution and international agreements ratified under the Constitution. (Korbayram & Hoca, E. , 2024, s. 35-51). Another important way to monitor the transparency of the executive and administrative duties is the media, which countries today include in this process as the fourth power. (Korbayram & Poposka, 2022, s. 9-24). The structure of a country's legislature whether unicameral or bicameral largely depends on its constitutional design and historical context. For instance, while Italy operates under a bicameral parliamentary system, the Netherlands employs a unicameral model. In a similar vein, most Balkan states, particularly those that emerged from the former Yugoslavia such as North Macedonia, Serbia, Croatia, and Slovenia have adopted unicameral parliamentary frameworks as the foundation of their legislative systems.

The Council of Ministers also constitutes the National Assembly wing of the executive and is also called the cabinet or government. At the head of the council of ministers, the prime minister is the first among equals (*primus inter pares*). (Sartori G. , 1997, s. 138-140). In parliamentary systems, the president typically representing the non-accountable wing of the executive is usually elected by the legislature, and direct election by the people is relatively uncommon. (Körbayram A. , 2020, s. 49-65). However, Article 80 of the 1991 Constitution of North Macedonia establishes that the president shall be elected by popular vote. While this diverges from the conventional parliamentary model, the president's powers remain largely formal and ceremonial. These powers include appointing the prime minister and cabinet members, accepting their resignations, signing and, if necessary, returning legislation to parliament, ratifying international treaties, issuing decrees, and proclaiming the dissolution of parliament. What notably distinguishes the Macedonian constitutional framework is the absence of a governmental mechanism to dissolve the legislature. Instead, the constitution provides for a system of parliamentary self-dissolution, marking a departure from more traditional

parliamentary practices. (Körbayram & Hoca, E., 2022, s. 42). Another hallmark of the parliamentary system is the principle of counter-signature, whereby the legal validity of presidential acts depends on the endorsement of a responsible minister, ensuring that executive authority is exercised under political accountability. In contrast, the Macedonian Constitution does not adopt the counter-signature mechanism. As a result, although the president is directly elected by the people, the office holds limited political power and primarily fulfills symbolic and ceremonial functions within the constitutional structure. (Skarikj, 2015, s. 695-700). In this sense, the President of Macedonia has limited authority in accordance with the Parliamentary system, but it is envisaged that he will be elected directly by the people, not by the Parliament. In other words, the responsibility of the head of the state, who has the authority to sign against risk, is an important system, and it also concerns the problem of double legitimacy, and even the parliamentary government model envisaged in the 1982 Constitution of Türkiye, after 2017, the ministerial structure was abolished with the powers of continuity reserved for the head of state, and a sui generis government model emerged, and some authors have described this system as hyper-presidential. (Korabayram & Ekinci, A., HYPER PRESIDENTIALISM AND FIRST YEAR OF THE TURKISH TYPE OF PRESIDENTIALISM, 2022, s. 65-97).

The Council of Ministers, which is the responsible party of the executive, emerges from the parliament. The Council of Ministers consists of a collective structure in which ministers participate under the leadership of the prime minister, who is the first among equals. In Macedonia, the government leaves the parliament, but ministers are prohibited from being members of parliament. Therefore, it is possible for the prime minister to choose the ministers who will take office in the cabinet from among the deputies in line with her own views, as well as from the outside. However, in the parliamentary system, the fact that the prime minister and ministers must have the status of deputies is stated as a requirement of the system, and even the government system chosen by external appointment is considered as contrary to the spirit of the parliamentary system. (Anayurt Ö. , 2021, s. 373).

4. Conciliatory Parliamentary System Features of the North Macedonian Government System

The establishment of a multi-party system in North Macedonia has made it virtually impossible for a single political party to secure an absolute majority in the legislature. As a result, governments are necessarily formed through coalitions composed of multiple political parties. In this context, coalition governments are not merely a political preference but rather a structural necessity stemming from the principles of consensual and pluralist democracy. Such a system inherently reflects and accommodates the diverse ideological, ethnic, and cultural cleavages within Macedonian society, embedding political heterogeneity into the core of governance. (Körbayram & Hoca, E., RATIONALIZATION OF PARLIAMENTARISM IN THE CONTEXT OF GOVERNMENTAL SYSTEMS AND ITS APPLICABILITY TO THE MACEDONIAN CONSTITUTIONAL ORDER, 2022, s. 36-61).

The constitutional norms and guarantees cannot survive for a democratic political system based on the principle of separation of powers. The absence of a more orderly democratic regime, the existence of a political entity without democratic culture, which is strongly characterized by paternalism and insubordination both in the sales between political parties and in the internal members of the Parliament and the Government and among those among them. The political regime of the Republic of Macedonia triggers undemocratic changes and structural breakdowns. This situation has inevitably led to a setback in parts of the country's European integration. (Kuçi, 2015, s. 8-14).

It would be useful to mutually state the situations that Macedonia has based on the criteria determined by Lijphart. First, there is a strong multi-party life in Macedonia, with a multi-party system and coalition governments based on power sharing within the executive. Since it is very difficult for a single party to easily come to power, coalitions are also inevitable. Although it has changed over time in Macedonia, when you look at the political party list, it is reflected in the reports that there are 45 parties that continue to exist actively. (Macedonia, List of Political Parties in North, 2024). We see that they participate in elections to a significant extent within broad party coalitions, that is, 12 political parties and 5 coalitions participated in the parliamentary elections held in 2024. For example, Coalition "Your Macedonia" (led by VMRO-DPMNE),

Coalition "European Front" (led by the Democratic Union for Integration – DUI), Coalition "For a European Future" (led by the Social Democratic Union of Macedonia – SDSM), Coalition VLEN. (Parliaments, Iner Parliamentary Union-Global Data on National, 2025). Similarly, coalition governments play an important role in Macedonia's political structure as a management model that aims to represent different ethnic and political organizations and thus increase social consensus. We act with broad relations in the formation of governments. (Korabayram A. , KUZHEY MAKEDONYA CUMHURİYETİ ANAYASA HUKUKU, 2024, s. 361-362).

It is possible to state that especially after the 2001 Ohrid Agreement, although it was not a written rule, governments were formed between the parties of the majority and minority ethnic groups (mainly Albanians, Turks, Bosnians, etc.) with a majority of votes, i.e. winner-winner, which started to become a rule of tradition. The second characteristic feature is the balance of power between the legislative and executive bodies, in the country, in accordance with the spirit of the parliamentary system, the executive is removed from the legislature and is accountable to the legislature. In this sense, in terms of the symmetry of arms, while the legislature controls the executive with mechanisms such as question, investigation and inquiry committees, interpellation and vote of confidence, and can terminate its duties, we see that the executive is not granted the right to dissolve the parliament. In other words, Macedonia has accepted the institution of self-dissolution in its legal order, namely the parliament's authority to dissolve itself. (Şkarikj, 2015, s. 698-699).

Therefore, it must be stated that there is a deviation that is not compatible with the parliamentary system. Another important criterion is the proportional representation system. In the case of Macedonia, it is observed that the general (parliamentary) elections are based entirely on the proportional representation system throughout the country. Although the division into six electoral districts, which is reflected even in the European Commission reports and criticized in this sense, it is useful to state that it does not comply with the d'Hondt formula and that a return to a single electoral district is necessary. The fourth criterion, the decentralization criterion, is that Macedonia, especially after 2001, has given municipalities a certain degree of autonomy through the amendments it has made to the Law on Local Administrations. In this

sense, especially the Municipal Councils have broad powers. (Constitution of N. Macedonia, Article 114-117). Another important but not decisive criterion for the consensus model according to Lijphart's method, bicameral legislature, is not present in Macedonia. The Macedonian Parliament is unicameral. (Parliament of North Macedonia, 2024). Other criteria in Lijphart's classification of consensus parliamentarism, such as the effective activities of pressure groups and labor unions, a strict constitution and an independent central bank, are issues that are included in the current order in Macedonia and are constitutionally guaranteed.

Conclusion

Lijphart does not agree that the absence of a consensus culture in a society will necessarily prevent consensus democracy from functioning. According to him, a consensus culture can be both a cause and a result of consensus democracy. In other words, a political structure based on consensus does not have to be established solely on the basis of an existing social consensus culture; on the contrary, this culture can be developed over time through appropriate constitutional and institutional arrangements. In this context, while a consensus culture may already exist in some countries due to historical, social or political dynamics, in other societies this understanding can be built over time through institutional mechanisms integrated into the system. (Lijphart A. , 2012). Lijphart clarified the classification of consensus parliamentary systems based on ten characteristic features, but it is argued that even if not all of these features are present in a country, institutional features that divide power vertically and horizontally will necessitate consensus. (Lijphart A. , 1999, s. 34-41). It is noteworthy that North Macedonia, although it has deviations, has the majority of these criteria. Especially the fact that the proportional representation electoral system has been determined means that it has representation in the legislature in proportion to the votes received. However, the issue that the d'Hondt electoral system, which the EU Commission has correctly stated in its annual reports, will be democratic when applied in a single electoral district, and that six electoral districts in Macedonia will create a disadvantage, needs to be resolved with legal regulation. (Medzihorsky, 2019, s. 1-15).

Therefore, although it is believed that the country's parliamentary government model is in line with the conciliatory or consensus (multi-party-northern European type) parliamentary model, we believe that the country will not yet be included in this category. In fact, North Macedonia is a country that approaches the conciliatory (consensus) parliamentary system model in many respects. However, in our opinion, the reasons why it is not fully included in the conciliatory parliamentary model can be expressed as follows: Factors such as (1) the democratic culture not being fully established, (2) authoritarian tendencies and political polarization within the party, (3) ideological polarization, and (4) excessive instrumentalization of politics based on ethnic identities show that we are still far from an ideal consensual democracy.

In summary, the Republic of North Macedonia attempted to build a nation-state with the 1991 constitution in which it declared independence, but it appears to be moving towards consensual democracy at the constitutional and institutional level, particularly with the constitutional changes that emerged as a result of the signing of the Ohrid Framework Agreement. However, as Lijphart rightly stated, a fully established consensus culture has not yet been established in Macedonian practice. If the developments in the northern European countries mentioned as role models and Lijphart's method are followed and these methods are used both legally and in practice, it will be possible to speak of conciliatory parliamentarism.

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*Note: Contribution to the article: Azam Korbayram 70%, Ebrar İbraimi 30%