

Parliamentary Scrutiny: Practice in the Republic of Macedonia

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Abstract

Parliamentary control is a specific kind of political control that Parliament exercises over the Government as holder of executive power and is one of the most standard features of parliaments in countries with parliamentary or mixed system. In Macedonia, where the system is basically parliamentary, the Constitution enables the Assembly to exercise control and supervision over the Government. Empirical data show that in 24 years of functioning of multi-party Parliament, mainly the opposition has used relatively often the standard control instruments known in comparative constitutional law, such as parliamentary questions, interpellation and the question of confidence in the government. Through these tools the work of governments was continuously monitored, evaluated and criticized. The procedures for accountability of Ministers or Government have been raised many times, but all have finished without "success." The parliamentary majority and strong party discipline in all mandates, provided stability and support of the Governments for their policies. The opposition had to be "satisfied" with "disturbing" the Government and with the impact on public opinion and the possibility to thus win the trust of citizens to choose their program at the next elections.

Keywords: *parliamentary questions, interpellation, the question of confidence, dissolution of Parliament, party discipline*

Parliamentary scrutiny - General Benchmarks

The scrutiny that the Parliament exercises on Government is a specific type of political control. It concerns holders of different functions of state government who are in a relationship and to a certain degree interdependent. The parliamentary control implies the political accountability of the Government as the holder of executive power before the Parliament and it is typical of parliamentary and mixed systems, that is, it is one of the basic tenets that differs these systems from the presidential systems. Today, the political control is one of the most standard features of Parliaments in the countries with parliamentary or mixed system. Generally, the parliamentary control is defined by several elements: first, it is a set of powers and mechanisms of parliament prescribed by the highest act of the state, the Constitution; second, the Parliament is an active entity that performs control and has the right to take measures which may actually call the Government to account and third, political control is a process in which Parliament continuously and systematically monitors and evaluates the work of the Government. The base of parliamentary control lies in the idea of separation of powers and the need for mutual restraint and control of the various branches of Government. In order to avoid misuse, Government should be organized in a way that one authority oversees the other, while keeping the system efficient¹ ... the shared exercise of political power is inevitably controlled². In order to ensure balance, and at the same time cooperation and competition of the two organizationally and functionally separated authorities, there are instruments through which the legislative exercises political control over the executive, but also mechanisms for the latter to be protected from excessive and inappropriate control. It is the right of the executive to dissolve Parliament when vote of no-confidence is passed. Parliamentary control is tied to political accountability, since it is a method

¹ Montesque Sharl, O duhu zakona, Libertas, Beograd, 1989, str. 174.

² Loewenstein Karl, Political Power and Governmental Process, 2ed Chicago, 1957.
For the beginnings of the political control, see Basta Lidija, Politika u granicama prava, Institui za uporedno pravo, Beograd, 1984, str.21-26

and procedure for its implementation. Stipulated as a constitutional function of Parliament, the control provides accountability of Government Ministers to Parliament in a way that gives them enough autonomy to take actions to implement government policy, but also prevents them from a degree of independence that could lead them in a position to ignore parliament as a body directly elected by the citizens. Today, in countries with parliamentary or mixed system, regardless of the specifics, the Government is accountable to Parliament. This accountability is political as it implies no-confidence of parliament against the executive. The parliament does not judge the ministers; it only states that it has lost its confidence³. Political accountability can be raised for an act and activity of each Minister individually, and for the Government collectively, and in that, their behavior is not assessed by the criteria of legality, but by the criterion of political expediency in relation to the Parliament⁴. Political accountability occurs as individual responsibility of Ministers and collective of the Government. Collective responsibility arises from the fact that the Government functions as a whole, decides as a whole and thus jointly bears the responsibility of its decisions and "appears" before the Parliament as a single homogenous body⁵. As members of the Government, the Ministers have responsibility for the acts and actions undertaken to implement the decisions of the Government. The collective responsibility is especially important because of the need for unity and coordination in the conduct of internal and foreign policy ... the state ship cannot sail at the same time in different directions⁶. On the other hand, individual responsibility is related to the actions taken by the Minister himself for the acts adopted in a capacity of an official who is in charge of a given ministry.

Accountability would be just an abstract notion if simultaneously there were no possibilities of its initiation and effectuation. Therefore the

³ Spektorski Evgenije, *Drzava i njen zivot* Beograd, 1933, str.11

⁴ *Union interparlamentaire, Parliaments*, 2 ed., Paris 1996 - str.318

⁵ Jovicic Miodrag, *Odgovornost nosilaca javnih funkcija*, IUP, Beograd, 1968, str.40

⁶ A.Corry Abraham, cit. po Markovic Ratko, *Izvršna vlast, Savremena administracija*, 1980, str.211

mechanisms for "putting into operation" the political accountability are part of the Constitution. The standardized and accepted tools known in comparative constitutional law through which the parliament exercises its political control are the parliamentary questions, interpellation, inquiry committees or other bodies of the Parliament and the question of confidence in the Government. The method and procedure of exercising control are stipulated in the Rules of Procedure of Parliament, of course, with certain differences and specificities.

Parliamentary questions are the most famous and most used instrument of parliamentary control. In the beginning, they appeared as information tool and today the opposition is increasingly using them as an opportunity to criticize and make the work of the government and ministers' public⁷. It is a mechanism that is available to members of Parliament where by requesting and receiving answer they directly learn about the situation in certain areas or actual problems from the aspect of the work of the Government or Ministers. The questions are important because based on received answers the Members built their position and evaluate the work of the executive. Defined as a "dialogue" and communication between the Government and Parliament, the questions are the basic element of the relationship between those responsible for policy in the country and representatives of the people who have a mandate to control⁸. Of course, this dialogue can be, and often is, very "tough". Government bench is not always a nice place during the questions (Ameller). The opposition uses this institute not only to receive information but most often to "capture" omissions or errors that Government Ministers have made. Certainly, the questions are not just a privilege for the opposition, but they are also used by the Government majority to allow Ministers to present favorable results achieved and thus, get a positive ratings and increase the power of the Government. Regardless that there is neither discussion nor direct political

⁷ The first question for which there are written data was asked in the House of Lords in 1721, and in the House of Commons in 1783 - The British Parliament, Central Office of information's, The House of Commons, London, 1995th

⁸ Burdeau Georges, in the preface to the work cited by M.Ameller

sanction on the answers to the given questions⁹ it is obvious that this possibility for the Parliament to control and influence the work of the government is treated with respect. Almost exclusively, this mechanism is defined as an individual right of Members of Parliament to communicate directly with Government Ministers. In order to enable their continuous use the Rules of Procedure of almost all Parliaments envisage a special period for parliamentary questions, a time to "confront" the executive¹⁰.

The interpellation is a special institute of parliamentary control and is the result of the efforts of the Parliament for more solid mechanisms to hold to account Government and Ministers. The need for such a tool is imposed as an imperative in order to prevent the Government to act arbitrarily or take measures and activities contrary to the wishes and intentions of Parliament from which it derives¹¹. With the interpellation the Parliament exercises more powerful and more effective control of the Government since all its Members participate in the debate and it ends with voting, i.e., the Parliament decides whether it approves or does not approve the work the Minister¹². Interpellation is usually initiated for a question of principle, a

⁹ A classic definition of questions includes two elements, the absence of a hearing and the absence of direct political sanction, Ameller M. Les questions, instrument du controle parlementaire, Paris, 1964 r.18-19

¹⁰ The regulation on parliamentary questions was introduced for the first time in 1783 by the Speaker of the House of Commons, Cornwall. Since 1849. The questions were published in "Notices of the House", and in 1869 they were given a special title "Questions" and from then on given a special time - question time

¹¹ Interpellation occurred in France (1830-1840), and was later adopted by many countries, while today it is not envisaged by the French Constitution of 1958. British parliamentary tradition launched the interpellation as a separate means of control over the government, but by many elements similar to the interpellation is the so-called motion to extend the debate.

¹² More on this, see Markovic Lazar, *Parlamentarno pravo*, Ekopres, Zrenjanin, 1991, str.64

general policy for which the Government is responsible, or for expressed views, actions or measures taken by Ministers. The procedure, in particular the stringent requirements needed to initiate an interpellation show that there is a rational approach to this mechanism in order to avoid its broad use and thus to prevent its consequences on the stability of the Government.

Vote of confidence in the government is the strongest mechanism by which Parliament can directly call the Government to account. The accountability is collective and it refers to the implementation of the policies by the Government as a whole. The final effect of this mechanism is direct - the Parliament can vote for no- confidence¹³. After that, the Government has two options, to resign or to accede to the dissolution of parliament¹⁴. Hence, with the mechanism of confidence the question of "life and death" of the Government is in the hands of the Parliament , and in return the Government's decision for dissolution of Parliament is a instrument of "revenge" against Parliament which has shortened the term of office of the Government. Thus, the conflict between the Parliament and the Government is transferred to the electorate. This weapon in the hands of the Government despite its post factum role, may also have a preventive or protective role. Namely, the Parliament which is in danger of being dissolved in case of vote of no- confidence will certainly bear in mind this fact, especially when the negative result would mean survival of the Government in power and confirmation of its authority. Considering the importance of the issue of confidence, especially because of the final implications that it might entail, the Constitutions of almost all countries predict, stricter criteria in terms of the number of Members who can initiate it, its form, terms of voting and the

¹³ The first case of vote of no confidence was recorded in 1784 when the British government was denied the trust of the House of Commons. It is considered that since then began the period of political accountability of government to parliament.

¹⁴ The first case of the dissolution of the House of Commons was recorded in 1784 and it was due to impatient attitude towards the Cabinet. In 1832 a constitutional convention was introduced according to which the government that has received a vote of no confidence is obliged to resign or if it does not do that, it is obliged to accede to the dissolution of the House of Commons.

high threshold for its acceptance. This prevents its uncontrolled use which could have a negative impact on the work of Parliament, on Government stability, but also on the functioning of the system as a whole. Besides the proposal for vote of confidence that Members have at their disposal, the Constitutions envisage the opportunity for the Government to raise the question of its own confidence. In that case the Government is an initiator for the Parliament to discuss its work and to vote on confidence, and in that, the motives and intentions might be different. This mechanism is actually used by Government as a "psychological blackmail" against Parliament with the expectation that it will be a vote of confidence, which will strengthen its position.

Parliamentary control in the Republic of Macedonia

In the Republic of Macedonia with the Constitution adopted in 1991 by the first pluralistic Parliament, the process of state independence was completed and parliamentary system with elements of presidential system was introduced. The organization of the Government was set on the principle of flexible division of power, and in that, the Assembly is the legislative power, executive power is bicephalous and exercised by the Government and the President of the of State, and the holders of the judicial power are the courts. It is a structure of relatively parallel bodies whose status, responsibilities and relations are constitutionally defined and guaranteed in order to ensure a balance of power. The Constitution also envisages multiple mechanisms of cooperation, influence and control. This model primarily belongs to the parliamentary systems, while the direct election of the President was taken from the presidential model¹⁵. The Assembly has a constitutional right to elect the Government and to exercise political control

¹⁵ More on the constitutional system of RM see Гушева Снежана, Законодавната дејност на Собранието на РМ, Винсент Графика, Скопје, 2009, стр.197-203.

and supervision over its work¹⁶. This means that the Government receives its mandate from the Parliament which is in a position, whenever it deems it has a reason, to take it away. The accountability of the Government before the Parliament is political and occurs as joint and individual. The Constitution stipulates that the Government and any of its members are accountable for their work before the Assembly¹⁷. Collective responsibility arises from the fact that the Government is established as a collective body that operates legally on the principle of the so- called joint ministerial accountability. When representing the Government in Parliament, Ministers are required to represent the Government position¹⁸. The collective responsibility of the Government to the Parliament is carried out through the mechanism of a vote of confidence. When the government receives no-confidence vote, it is obliged to resign without constitutional possibility to dissolve Parliament. The absence of this mechanism which provides a balance between the two powers and is one of the main features of the parliamentary systems, suggests that the Constitution formally defines the relations in favor of the Assembly¹⁹. On the other hand, individual responsibility is reflected in the possibility for each Minister to be individually dismissed, when for various reasons there is a need for that. The motion for dismissal is submitted by the President of the Government, but the final decision is adopted by the Assembly by vote for the dismissal and election of a new member of the Government.

The mechanisms by which the Assembly is exercising political control over the Government are generally determined by the Constitution. In addition, the Constitution only stipulates that parliamentary question may be

¹⁶ Article 68, item 16 of the Constitution. The subject of analysis is only the aspect of these constitutionally established relations between the Parliament and the Government.

¹⁷ Article 92 of the Constitution of the Republic of Macedonia.

¹⁸ Article 11 of the Law on Government of the Republic of Macedonia.

¹⁹ Article 63, paragraph 6 of the Constitution, foresees only the possibility of Parliament dissolving itself.

submitted by any Member of the Assembly, i.e. that an interpellation may be submitted by at least five Members²⁰, while the issue of confidence is elaborated in more details, which is quite understandable given the nature of this mechanism, especially the final implications that it may cause - the resignation of the Government²¹. The method and procedure for "use" of parliamentary control mechanisms are detailed in the Rules of Procedure²².

Parliamentary question is an individual right of the Member of the Assembly who can ask a question according to prescribed procedure in the Rules of Procedure. Members have the right to ask the President of the Government and any minister a question within their authority. The question must be short and precise, with indication to whom it is addressed²³, which overcomes previous longstanding practice of asking long and unclear questions. A special session for parliamentary questions is held every last Thursday of the month. The President of the Government and the Ministers are obliged to attend the session, and thus, legal prerequisites are provided for a more serious approach toward this institute and some negative practices such as frequent postponement of parliamentary questions are overcome²⁴. The Members of the Assembly inform the President of the Assembly about the questions 24 hours before the session. Based on the agreement between the coordinators of the parliamentary groups, the order of the questions is made in the ratio of two to one in favor of the opposition. According to the form the questions can be oral or written. A Member may ask up to three oral questions within ten minutes, and declare whether she/he is satisfied with the answer in up to three minutes. These restrictions allow questions to

²⁰ Article 72 of the Constitution of the Republic of Macedonia.

²¹ Article 92 and 93 of the Constitution of the Republic of Macedonia.

²² Rules of Procedure of the Assembly ("Official Gazette" No. 91/2008, 119/2010 and 23/2013).

²³ Article 37 of the Rules of Procedure of the Assembly.

²⁴ By 2002 parliamentary questions could had been asked on each regular session of the Assembly, but for various reasons they were very often postponed and thus this institute of political control was marginalized.

be put by more Members. The oral question is answered at the same session. Since the subject of the question is not announced in advance, oral questions contain an element of "surprise" for the Ministers. The ability and willingness of the Minister to respond immediately is an indication of their competence and knowledge on the current situation in the given area. The oral questions especially when asked by the Members from the opposition are the best way to criticize and confront the Minister for measures taken or not taken in relation to a particular problem. It is possible to ask written questions between two sessions and thus the Members who have failed to put oral questions are given a chance to do so in writing. The written response must be submitted within 20 days. This prevents the delay of the answers that would otherwise reduce their relevance or marginalize their function.

By getting the answer, the right of the Member has been exhausted, i.e., there is no debate and the Assembly does not have a possibility to take a position on the given information and reporting. The question only provides an opportunity to have a permanent insight and control on the commitment of the Government and Ministers to resolving problems, and also an opportunity to assess their ability to initiate and take measures and activities in the given area. How often the Members of the Assembly use the parliamentary question and what is the weight of this instrument in the exercise of political control, greatly depends on the Members themselves and their understanding and attitude toward the exercise of the parliamentary function. The number of questions and their content is relevant for assessing the individual initiative of Members, their awareness and interest to be updated with current events in various areas of social life. Empirical data indicate that the interest of the Members increases and it can be seen from the number of questions, but also from their interest in getting complete answer. The request for additional response or the expression of dissatisfaction with the response shows that the Member has a positive approach to the question asked. This is especially true of Members of the opposition that corresponds with their objective and intention to criticize the Government and Ministers. Through the use of this instrument Members tend to lead the Ministers in an awkward situation in which the Ministers will show that they are not competent to perform the function, i.e. their authority is questioned. On the other hand, Members of the ruling parties tend to achieve the opposite effect by asking questions. They often ask

questions that give opportunity to the Government or the Ministers to promote their policies or to justify unsuccessful action. To such often prearranged questions, Ministers respond with particular and detailed data, which in practice is criticized by the opposition. However, there are Members who understand the parliamentary questions solely as their routine obligation and debt to their voters. Many Members ask questions only to show their voters that they represent their local interests, and do not use the questions as an instrument of political control. Since the sessions of the Assembly are directly broadcasted on TV, parliamentary questions have the function of influencing public opinion. Citizens have the opportunity to evaluate the actions of Ministers and the Government, their justification and rationale, and their ability to cope with problems and to control the situation in the given area. Thus, in the long term, the citizens - voters create their own opinion on the Government and Ministers which can be valuable in choosing who to vote for in the future elections.

According to the analysis of data on terms of office²⁵ many parliamentary questions were asked²⁶. The interest of the Members to get

²⁵ From 1991 to April 2015. the Assembly has had eight parliamentary compositions. Three times - in 2008, 2011 and 2014, the Assembly dissolved itself before the end of the term and held early elections.

²⁶ According to the terms of office parliamentary questions were asked as follows:

January 1, 1991 - November 1994

- 18 sessions - 630 oral questions given 85 oral answers

- 48 written questions

2 November 1994 - November 1998

- 15 sessions-1542 oral questions given 354 verbal responses

- 79 written questions

3 November 3, 1998 - October 2002

- 9 sessions - 422 oral questions given 156 verbal responses

- 66 written questions

4 October 4, 2002 - July 2006

- 25 sessions - 1568 oral questions given 917 verbal responses

- 104 written questions

5 July 5, 2006 - April 2008

information is reflected in the total number of oral questions. Although there are some improvements, the number of oral responses is unsatisfactory due to several reasons. Certainly, Ministers do not leave the impression of professionals if they are not familiar with the work of their portfolio and if the Member asking the question appears to be more informed. On the other hand, it cannot be expected that the Minister knows in detail all data the Members are interested in. Hence, it is up to the Member who might ask a provocative question (which is especially evident among opposition Members) to assess the competence of the Minister. From the analysis of the content of the questions it can be concluded that they generally relate to information about the current event of wider public interest and the attitude of the Government in relation to that event. From the number of questions asked to certain Ministers it is possible to conclude what was the greatest interest in a given period. In the first years of the multi-party Parliament the interest was directed toward the interior affairs, foreign affairs, defense and justice. It is quite understandable, because this was the period in which these ministries had more prominent role in the process of independence of the country, its international recognition, its security situation, in solving the transnational questions and in the adoption of laws for the construction of a new legal system. In the following mandates, the interest of the Members extended to events and developments in all areas of daily life. They referred to health, education, construction, employment, etc. It is interesting that questions related to local or regional problems were asked by Members belonging to different parliamentary groups (parties) but to the same

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- 13 sessions -528 oral questions given 386 verbal responses
 - 108 written questions,
 - 6 June 6, 2008 - May 2011
 - 25 sessions - 795 oral questions given 530 verbal responses
 - 160 written questions,
 - 7 June 7, 2011 - March 2014
 - 22 sessions - 427 oral questions given 331 verbal responses
 - 271 written questions
 - 8 June 8, 2014 - April 2015
 - 6 sessions - 204 oral questions given 134 verbal responses
 - 44 written questions,

municipality or region. In such cases, local affiliation prevailed, rather than party affiliation. What also affects the content of parliamentary questions is the nationality of the Members. Although they belong to different parliamentary groups (parties), one of which always participates in the government, most Albanian Members usually show interest on certain questions. Namely, they often ask questions that relate to, according to their view, violation of the rights of Albanians in various areas of political and social life.

Analyzing all aspects, a general assessment could be that the attitude of the Members has changed significantly in a positive direction and that once marginalized, the parliamentary questions are increasingly becoming more important instrument of parliamentary control. Members themselves can further contribute to this through their personal initiative, their responsible attitude and presence at the sessions, their insisting on getting oral answers, and their upholding to the deadlines for receiving written responses and their constant criticism of the government if it does not comply. Only in this way, they can "force" the Ministers to treat the parliamentary questions seriously and with greater responsibility. In that sense, the initiative of the opposition certainly needs to be stressed, since its role and primary goal should always be to control and criticize the work of the Government.

Interpellation as a mechanism for performing parliamentary control is stipulated by the Constitution and it is a collective right of Members of the Assembly²⁷. The method and procedure for submitting, debating, and deciding on the interpellation are regulated by the Rules of Procedure²⁸. Interpellation may be raised by at least five Members and it must be in writing and must contain explanatory notes. Government or the Minister to whom it is addressed within 15 days are required to submit a written response to the allegations in the interpellation. The period of time given for response allows them to "investigate" the allegations and give their arguments, which is of particular importance for the debate that is to be conducted in the Assembly. If the answer is not submitted within the

²⁷ Article 72 of the Constitution of the Republic of Macedonia.

²⁸ Articles 45-52 of the Rules of Procedure of the Assembly.

prescribed period, the interpellation is automatically put on the agenda on the next consecutive session of the Assembly as a separate item. That means there is no possibility as in other parliaments, for the Assembly to assess its admissibility in advance. The Members submitting the interpellation are entitled to withdraw it just before the start of the debate. In certain situations, the debate may be terminated: if a question of confidence in the government is raised, if the government resigns or if the President of the Government submits a proposal to dismiss the Member of the Government whose work is subject of the interpellation. One of the Members of the Assembly who have submitted the interpellation motion shall be entitled to give an explanation of the interpellation. Based on the agreement between the coordinators of the parliamentary groups, the order of the speakers is made in the ratio of two to one in favor of the opposition. The debate is the most important part of the procedure and it is the important element which makes the interpellation different from parliamentary question. The right to speak and to express their assessment on the work of the Minister or the entire Government is given to all Members not only to those submitting the interpellation. The Minister gives explanations and counter-arguments on the issues she/he is "accused" of. It is made very carefully and arguably since the outcome of the interpellation depends on the answer. Moreover, this mechanism is respected due to the fact that the discussion is broadcasted on TV and greatly influences public opinion on the work of the Minister. In the period from 1991 to April 2015 total of 39 interpellations were submitted, all by the Members from the opposition²⁹. Eight interpellations were submitted to the

²⁹ Interpellations submitted by terms of office:

- 1 January 1, 1991 - November 1994 - eight
- 2 November 1994 - November 1998 - four
- 3 November 3, 1998 - October 2002 - six
- 4 October 4, 2002 - July 2006 - four
- 5 July 5, 2006 - April 2008 - six
- 6 June 6, 2008 - May 2011 - nine
- 7 June 7, 2011 - March 2014 - two
- 8 June 8, 2014 - April 2015 - no interpellations - In this ongoing mandate opposition from the beginning of the term boycotted the Parliament because they did not recognize the results of the elections.

Interior Ministers, seven to the Ministers of Education, four to the Foreign Ministers and Finance Ministers, three to the Ministers of Culture, Ministers of Urban Planning and Construction and the Ministers of Economy, two to the Ministers of Justice, the Ministers of Health and the Ministers of Labor and Social Policy and one to the Defense Minister. Out of 39 interpellations, seven were withdrawn, 25 ended with the decision by the Assembly for their non-acceptance, and seven were not debated.

From the analysis it can be concluded that all previously submitted interpellations were related to a specific issue that was particularly important at the time and which attracted wider public interest. Interpellations were raised during the climax of events, which in some cases were manifested by citizens protesting against certain measures and actions taken by the Government or one of its Ministries. With the initiation of the interpellation opposition always tries to present itself as the protector of citizens, using their current revolt and discontent. But the debate always gets wider dimensions than the event which was the cause for the interpellation. It is a chance for the opposition to criticize the work of the Minister and to call into question her/his professional credibility, but also to criticize the general policy of the Government before the Assembly and the public. Those who submit the interpellation are aware that because of the government majority in the Assembly, the interpellation cannot be supported. However, they are also aware of the effect which is achieved by discrediting and undermining the authority of the Minister. This is especially important since most interpellations are submitted for extremely sensitive issues of national interest, international relations, education, health, i.e. subjects which always attract great public interest. Therefore, there is a perception that the opposition uses the interpellation as a constitutional opportunity to control the executive power, but primarily for a political marketing and psychological effect on citizens, counting on their support in the next elections. In its responses to all interpellations, of course with different arguments, the Government rejects the accusations and presents the activities or measures the Minister is criticized for, in a positive way, i.e. the Government always defends the Minister. Thus, the Government in advance expresses the view that the Minister individually will not be held responsible, that is, the President of the Government will not submit a proposal for dismissal even if (in cases of coalition majority, theoretically) the interpellation is accepted.

The debate may end with a decision of the Assembly on the allegations contained in the interpellation. If the Assembly accepts the interpellation, it means that it has expressed negative opinion on the work of the Minister. However, the acceptance of the interpellation has no direct political implications, i.e. it does not automatically lead to political sanction - dismissal of the Minister. In this way, the Assembly only puts pressure on the President of the Government to propose the dismissal of the Minister, under the threat that if it is not done, a question of confidence in the Government as a whole will be raised. The President of the Government is the one who assesses the arguments and the degree of pressure from the Assembly and decides to propose the dismissal of the Minister or risks confidence vote on the entire Government. In all the previous mandates, the Governments held comfortable majority in the Assembly, making it certain that due to strong party discipline the vote will end in "victory", i.e. the Assembly support the work of the Minister. Such an "end" of the interpellation strengthens the Government's position. Therefore, interpellation is used less frequently even when there are arguments and facts indicating weaknesses or deficiencies in the work of the Government or Ministers, which represent grounds for calling them to account. Yet, despite the real political constraints, interpellation is a powerful tool, especially in the hands of the opposition through which it criticizes the government measures and influences public opinion. Regardless of the final predictable outcome, it can be concluded that the debate on the interpellation is used by the opposition as an opportunity for greater transparency in the presentation of negative opinions, views and reviews the work of the Government.

The Constitution provides an opportunity for the interpellation to be used as an instrument of political control over the work of the Government as a whole. But so far interpellations were initiated only for the work of Ministers, which means the goal was to initiate a procedure for establishing individual responsibility.

The question of confidence in the Government is the most important mechanism for the accountability of the Government to the Parliament whose common elements are stipulated in the Constitution and procedural aspects are regulated by the Rules of Procedure. The Constitution does not prescribe all the cases in which a question of confidence might be initiated meaning that it can be raised for all actions on the part of the

Government within its competences. The question of confidence is the most powerful tool which can directly lead to "fall" of the Government, although in circumstances when it has the support of the majority in the Parliament the possibility for a vote of no-confidence is quite limited. But the proposal has a major impact on the authority and stability of Government. The excessive use of this instrument might create an atmosphere of constant crisis and conditions of tension between the legislative and executive powers, which ultimately may prejudice new elections. Therefore, as in the constitutions of most countries, the Constitution of the Republic of Macedonia prescribes strict conditions under which this mechanism can be initiated. Namely, the question of no confidence may be initiated by at least 20 Members of the Assembly, it must be submitted in writing and must be explained, and the vote is taken after three days have elapsed from the day of its proposal. The order of the speakers is made on the basis of the agreement between the President of the Assembly and the coordinators of the parliamentary groups. The vote of no confidence in the Government requires a majority vote of all the Members, that is, the same majority required for the election of the Government. If a vote of no-confidence in the Government is passed, the Government is obliged to submit its resignation and remain on duty until the election of a new government. Another vote of no-confidence cannot be initiated before the expiration of 90 days after the last vote. Thus, this instrument cannot be abused by the opposition and the Government cannot be constantly "disturbed" and negatively affected in its daily work. Namely, regardless whether or not no-confidence vote is passed the credibility of the Government is questioned. If the question is initiated by the majority of all the Members it must be debated. This is quite understandable since it shows that the Members of the Assembly from the ruling parties, i.e. the same Members that elected the Government have also lost their confidence in the Government. Apart from the Members the question of confidence may be initiated by the Government itself. Constitution does not stipulate when the Government can do so, therefore, the general provision leaves room for interpretation that the Government may raise the question of its own confidence on all aspects of its operations. The question is initiated by the President of the Government in writing or orally at the session of the Assembly. In this case the Government initiates and having the parliamentary majority behind it, expects a confirmation of its legitimacy in order to continue the implementation of its program.

In the past 24 years of practice, total of eight questions on confidence in the Government were taken and one was initiated by the Government itself³⁰. All questions were raised by the Members belonging to the opposition, except in the case of the "expert" Government, when the question of confidence was initiated by Members from different parties represented in the Assembly. There was only one case when the ultimate effect was reached - a vote of no confidence was passed. But it was a specific case, because it was an "expert" Government or Government that did not have a "party base" in the Assembly³¹.

All submitted questions of confidence were result of the assessment of the opposition at the time, that the negative conditions and problems in the country were result of the inert attitude of the Government, inadequate measures and that these conditions were so serious and complex that the Government had to bear collective responsibility. But, apart from the immediate reason to use this control mechanism, there were always generalized accusations and criticism of the overall work of the Government in order to "crash" its authority and to question the ratings of political parties

³⁰ A vote of confidence by mandatory periods were submitted as follows:

1. January 1, 1991 - November 1994 - four
2. November 1994 - November 1998 - one question by the Government itself
3. November 3, 1998 - October 2002 - one
4. October 4, 2002 - July 2006 - two
5. July 5, 2006 - April 2008 - one
6. June 6, 2008 - May 2011 - not submitted
7. June 7, 2011 - March 2014 - not submitted
8. June 8, 2014 - April 2015 - not submitted

³¹ After the first parliamentary elections in November 1990, no party had a majority to form a Government and they failed to reach a coalition agreement. In March 1991 the parties agreed and formed the "expert" Government composed of non-party members, behind who there was formally no political party,

For more details see Гушева Снежана, Политичка контрола над Владата на РМ, Винсент Графика, Скопје, 2008, стр. 244-251.

that participated in the Government. In the debates that were always long and tense, the opposition attacked and the ruling parties defended the position of the Government. In almost all debates general qualifications were expressed that the Government generates political and economic destabilization in the country, that it was to blame for the undemocratic processes, unemployment, the rise in crime and corruption, inactive foreign policy which slowed Euro-Atlantic integration of Macedonia, for the unresolved dispute with Greece etc. Characteristic of all terms of office were the interethnic relations and the Government was always "attacked" for the existence of interethnic tensions. Of course the Members of the Assembly belonging to the Government majority denied the attacks, trying to present the arguments as completely distorted and false. Undeniable conclusion is that the parliamentary majority and the opposition in all mandatory periods had one goal - to win over the electorate on their side. Because of the parliamentary majority, the survival of a particular Government was predictable and expected. But in all cases when this control mechanism was used, although with no final effect (except for the "expert" Government) the opposition actually achieved the expected goal - to bring the Government in situation to defend itself before the Members of the Assembly and the citizens and to demonstrate that it exercises its functions in accordance with the Constitution and laws.

Conclusion

The Assembly of the Republic of Macedonia exercised the constitutional function of political control over the Government and Ministers through the use of parliamentary mechanisms in a relatively large number as indicated by empirical data. But this control in all mandatory periods was exercised in circumstances of absolute parliamentary majority and strong party discipline which provided the stability of governments and support for their policies. A proof was the fact that the interpellations and questions of confidence submitted by the opposition, without exception, were not accepted. The majority that elected the Government was able to maintain Government stability although not completely able to amortize the pressure. Nevertheless, using control mechanisms opposition succeeded in "upsetting" the Government, and by criticism of its work with constructive

arguments influenced the public opinion. If the case of a responsible government, all this should have been reflected in its future actions. But past experience showed that Governments, assured in the support of the majority continued with their policies, mostly ignoring the criticism. This leads to the conclusion that formally, constitutionally and legally, the Government is subject to parliamentary control, but in fact, it is able to significantly control the Assembly primarily through its dominant role in the legislative process. The "falling" of the Government is only possible if it loses confidence in the base in the Assembly, which may occur due to internal party or coalition differences. But weather the majority will decide to take this step depends on its willingness to suspend its own mandate through dissolution of the Assembly.

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