

How to sustainably decrease clientelism and ensure fair political competition in the Western Balkans?

The case for introducing standing parliamentary committees

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Introduction

Political clientelism is widely present in the Western Balkan countries (WB6) and has a substantial effect on electoral, political and policy outcomes. It involves an array of redistributive practices, facilitated through informal channels, which appear, in various forms and to varying degrees, throughout the WB6 countries (Albania, Bosnia and Hercegovina, Kosovo, Macedonia, Montenegro, and Serbia). Incumbent political parties take advantage of weak public institutions to obstruct the enforcement of rules designed to prevent clientelist practices. The lack of enforcement of such rules spurs the arbitrary allocation of public resources for clientelist goals and contributes to the increased partisanship and deterioration of the public administration, thus strengthening the incumbents and preventing credible democratic outcomes. Finally, clientelism may help incumbents take over institutions, which may ultimately lead to state capture.

Recent academic studies of clientelism have proposed a distinction between electoral and relational clientelism, both of which are present in the Western Balkans region. Electoral clientelism represents ad hoc, short-lived relationships, typically involving transactions established and implemented during election campaigns and, in particular, on the election day. A very common example of electoral clientelist relationships is vote buying (a one-off exchange of money or goods for votes). Relational clientelism by contrast is based on long-term relationships, where the inducements that are distributed for the wellbeing of clients are much more substantial. Moreover, under relational clientelism, there is a wider

'catalogue' of inducements, ranging from party patronage in employment to long-term or permanent benefits, typically at the expense of public resources.

This distinction is key to understanding the varying degrees of enforcement of rules against clientelism: rules for preventing electoral clientelism, valid only before and during election cycles, are enforced to a greater extent than those that sanction practices between two elections. Rules to prevent electoral clientelism include the 'freezing' of the distribution of subsidies, procurement and employment in the public sector, as well as sanctions for biased media reporting. In addition, international election observation missions and media monitoring remain focused on manifestations of electoral clientelism. The monitoring findings filter through to EU country reports, with the result that EU conditionality focuses on only one part of the overall problem, since practices of electoral clientelism are in fact only a fraction of the full range of clientelist practices that harm political competition.

The lack of implementation of rules combating clientelism has exacerbated various political crises which threaten the political process in the WB6. Ruling parties tend to abuse resources and capture the institutions that should ensure the rule of law and prevent clientelism, while opposition parties, unable to win elections in conditions of unfair competition, tend to use non-institutional measures such as boycotting of parliaments and organised protests. Such patterns of crisis have recently taken place in Macedonia (2012-2013; 2015-2016), Montenegro (2016) and Albania (2017). In all these cases, opposition parties have boycotted the formal institutions and demanded international (EU) mediation as a route to resolve the situation. Such mediation has been conducted through informal leadership meetings. One of the outcomes of these meetings has been the establishment of interim governments that supposedly increase the enforcement of rules against clientelism and corruption during elections.

However, such solutions have a temporary and unsustainable character: they only partially solve the problem of clientelism and the uneven political playing field. Clientelism prevention mechanisms, such as banning public sector employment contracts and procurement before elections, occur only during the limited pre-election periods, despite the fact that clientelism occurs continuously. Moreover, since such solutions are the product of internationally sponsored informal political agreements, they unintentionally undermine the role of national parliaments as institutions where political conflict should be addressed. International mediation, while relatively effective for resolving conflicts, is of an informal character and does not offer sustainable solutions mediated through formal institutional channels.

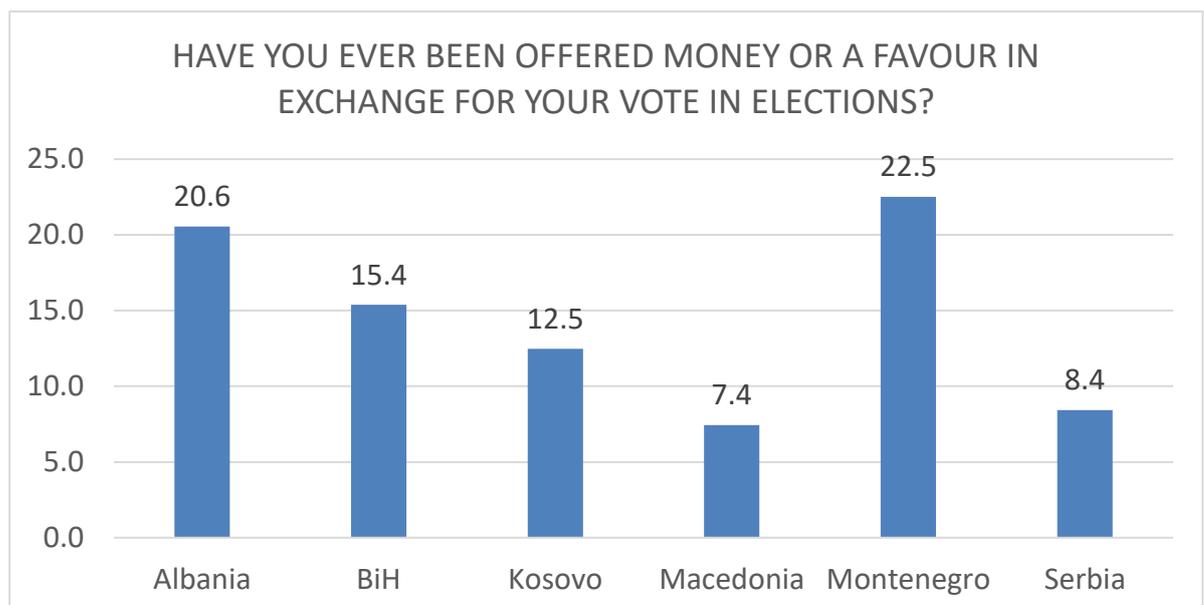
This brief aims to identify sustainable political solutions to the problem of clientelism and the uneven playing field. Since clientelist practices extend beyond election periods, they need to be tackled continuously within institutional and political processes. Therefore, we propose a standing committee within parliaments, which should be tasked with overseeing the measures taken by other state bodies against clientelism. This standing committee should be established in cooperation with civil society organisations. As the national

parliament is a forum where governing and opposition parties meet, incentivising oversight is an appropriate tool for overcoming the political conflicts created by clientelism or corruption. The success of such a body should be set as a condition for the further EU progress of the WB6 countries. This will enable a positive structure of incentives for constructive political dialogue, which should generate the much sought-after political will that is essential to facilitating the effective work of existing institutions tasked with tackling political clientelism.

Evidence and analysis: Scope and extent of political clientelism in the Western Balkans

The need for continuous action against political clientelism is demonstrated by the reach and efficiency of clientelist practices in the WB6 countries. According to our INFORM survey (N=6040, conducted in May-June 2017 in the WB6), significant portions of the population have been offered money or favours in exchange for their vote. Notably, one in five respondents in Montenegro (23%) and Albania (21%) reported receiving an offer of money or favours in exchange for a vote, while the corresponding figures in Bosnia and Herzegovina (BiH) and Kosovo were 15% and 13% respectively. The clientelist pressure on voters is lowest in Serbia (8%) and Macedonia (7%).

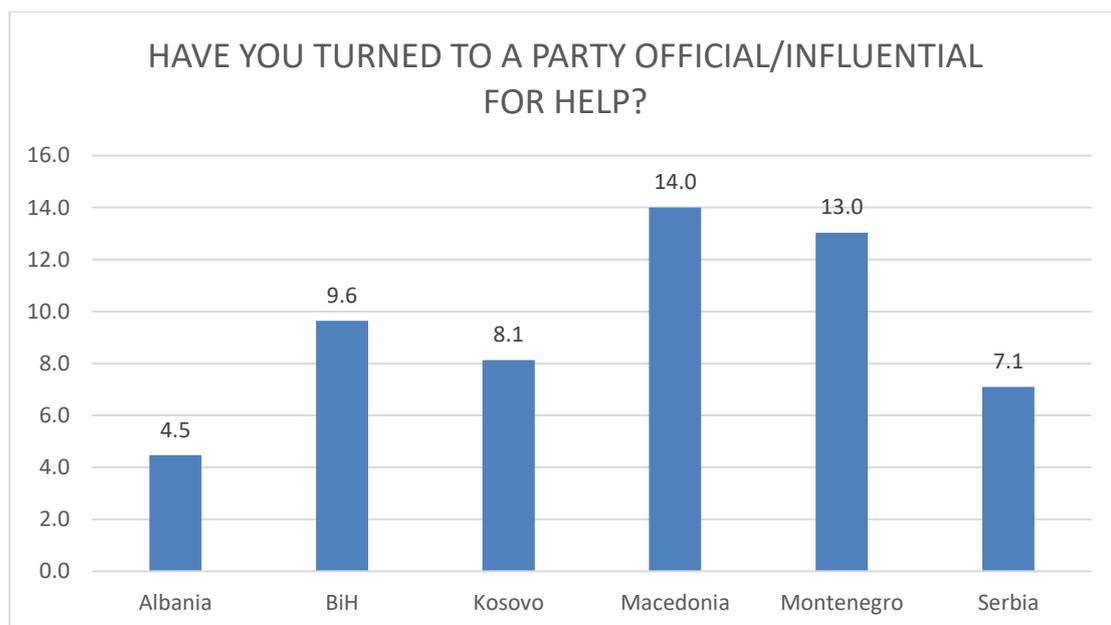
Graph 1. Have you ever been offered money or a favour in exchange for your vote in elections? (%)



Moreover, institutional dysfunction in the WB6 countries leaves significant space for the development of parallel informal ways of dealing with state institutions. Political parties in power have thus become the ‘middlemen’ between formal institutions (e.g. healthcare, employment, education) and citizens. People have become familiar with the ‘rules of the game’ and adapted to the situation by seeking access to services through political parties rather than the institutions.

When respondents were asked whether they had ever approached a party official or activist for help, the highest proportions of affirmative responses were in Macedonia (14%) and Montenegro (13%), while the lowest was in Albania (4.5%) (Graph 2). The figures for the other countries lie in the middle: 10% of BiH respondents, 8% of Kosovars and 7% of Serbs reported asking help from political parties. This demonstrates the extent of ties that are less likely to have occurred only before elections, i.e. relational clientelism.

Graph 2. Respondents who reported turning to party officials for help (%)



To gain a more practical understanding of the effect of clientelism on election days across the WB6, we projected the figures onto the number of voters in the last general elections before our survey (Table 1). We compared this with the data about electoral performance in the same elections of the winning party/coalition and the party/coalition entering parliament with fewest votes. In each of the countries of interest, the number of respondents who have ever experienced a clientelist offer represents a substantial proportion of the voters, which is thus able to affect election outcomes. For example, this number makes up more than two-thirds of the votes for the election winners in Albania and Montenegro, while it exceeds the number of votes for the winners in BiH and Kosovo. Of

course, our projections should not be taken as a precise indicator of the effects of clientelism on election outcomes. Nevertheless, they do provide a very rough illustration of the extent of its influence, suggesting that political parties in the WB6 devote significant energies to establishing clientelist linkages for the sake of political support. In short, our findings suggest that the scale of clientelism is enough to swing election results.

Table 1. Projection of survey responses onto the number of registered voters in the WB6 countries

	ALB 2013	BiH 2014	KOS 2014	MKD 2016	MNE 2016	SRB 2016
Registered voters*	3,271,885	3,278,908	1,799,023	1,784,416	528,817	6,739,441
% of reported pressured voters**	20.6	15.4	12.5	7.4	22.5	8.4
Projection of pressured voters	674,008	504,952	224,878	132,047	118,984	566,113
Votes: election winner (seats/total)*	993,904 (83/140)	274,057 (9/42)	222,181 (37/120)	454,577 (51/120)	158,490 (36/81)	1,823,147 (131/250)
Votes: last party entering parliament (seats/total)*	7,993 (1/140)	22,088 (1/42)	645 (1/120)	30,964 (2/120)	1,802 (1/81)	16,262 (1/250)
Sources: *National electoral commissions and **INFORM 2017 survey.						

Furthermore, the analysis reveals that when citizens seek benefits, the chances of political parties seeking their loyalty is substantially higher: citizens seeking benefits have six times higher odds to experience clientelist pressure than those who do not do so. This effect is most marked in Kosovo, where benefit-seekers have 11 times the odds to participate in a clientelist transaction than non-benefit-seekers. In Albania, they have nine times the odds, in BiH seven times, in Macedonia six times, in Serbia four times and in Montenegro three times.

In addition to reported experiences of clientelism, our survey data on citizen perceptions of clientelist practices reveal the existence of shared expectations about informal rules. According to our data, for instance, citizens have shared expectations that employment is gained predominantly through informal channels such as party membership or connections. Citizens' perceptions thus act as informal, bottom-up incentives that encourage political parties to engage in clientelism, forming a sort of vicious cycle. Taken together, then, our data point to the simultaneous existence of two interconnected phenomena: a top-down process whereby political parties are actively engaged in practices of clientelist employment, which are reflected in respondents' perceptions; and a bottom-up process whereby the idea of party-sponsored employment is deeply embedded in citizens' perceptions, to the extent that clientelist employment is seen as a normal 'rule of the game'.

Policy implications and recommendations: Creating an incentive structure for the continuous fight against clientelism

Since long-term practices of relational clientelism ensure advantages for incumbents well before elections, they need to be tracked and prevented continuously. The data above demonstrate two main findings: that clientelism is widespread in the WB6, and that it can be efficient in swinging elections by creating an uneven field for political competition. Institutions are inefficient at tackling this situation, which eventually creates political conflicts that are settled outside the political process. While analysts and policy-makers in general focus on the inefficiency of state bodies, less attention has been paid to the interests of political parties in sustaining clientelism. We claim that a solution should be sought in the political sphere, by structuring continuous political dialogue about the presence and effects of clientelism and employing parliaments as agents of oversight. This does not mean abandoning the reform of the preventive and suppressive institutions tasked with tackling corruption and clientelism; rather, it entails fostering these institutions through generating much needed political will within parliaments.

Permanent Oversight Committees in National Parliaments

To combat clientelism in the long run, we propose the establishment of a permanent oversight mechanism in the legislature that can monitor the institutions of the executive branch and their redistribution of public funds, public service employment and decision-making of relevance for clientelist practices. This body should also aim to prevent potential overlap between the state and the ruling parties and ensure a more level playing field between political actors from the government and the opposition. The main task of this

oversight mechanism would be to ensure that existing institutions tasked with prevention, monitoring, oversight and suppression of abuse of power function properly and coordinate in order to achieve tangible results. This may be achieved by demanding reports and achievements from existing institutions and by compiling an annual assessment report.

Committee Inquiries into the Work of Institutions and Reporting

In order to be successful, this oversight mechanism should have political weight and expert capacity from supporting staff, and should be supported by the EU as an important segment of the conditionality mechanism for the WB6 countries. The committee should call upon existing institutions with the authority to prevent, monitor and curb abuse in these sectors, including ministries, agencies and bureaus, as well as independent and regulatory bodies. The members should have the right to demand reports from these bodies throughout the year and should inquire into how they are tackling current issues.

Once a year, the committee should draft a report on the risks of abuses of public office for party gains. Such reports should evaluate the current state of affairs and assess any improvements or backsliding in the functioning of the relevant state institutions (e.g. the National Audit Office, anti-corruption bodies) in monitoring and preventing potential abuses for party gains (clientelist practices). These reports should be produced by the standing committee and then discussed and adopted in a plenary parliament session. The European Commission should also make use of these reports as a valuable input in its overall assessment of the country's rule of law and democratic competition.

Thematic Areas of the Committee

The committee should oversee areas where there is a high risk of abuses that may lead to an uneven playing field, overlap between the state and the party, corruption and clientelism. These areas include:

- Public procurement and public finance management
- Allocation of social benefit transfers
- Agricultural subsidies
- Employment and promotion in the public sector
- Prevention and suppression of corruption
- Media oversight.

Composition of the Committee

This mechanism should be based on a parliamentary oversight committee, where the opposition holds the majority of seats and the chair is selected through a consensus.

The oversight committee should make full use of the independent civil society, expert and media sectors in the WB6 countries. In order to structure such cooperation, we propose creating a registry of organizations and individuals that could participate in the body's public discussions. Independent experts, civil society activists and journalists should be able to raise discussions and participate in setting the agenda as associate members without voting rights. Granting such figures formal agenda-setting rights should make the committee's work much more dynamic and effective than if it remained closed to the public.

Overall, the political character of the body should serve to ensure that its decisions are not purely administrative but also carry political weight. Political will should therefore be the main driver of oversight and any proposed measures and reforms. In this way, the committee will complement institutional reforms of other state bodies and will secure the development of institutions within a system structured by the political will for improvement.

Project identity

PROJECT NAME	Closing the Gap Between Formal and Informal Institutions in the Balkans (INFORM)
COORDINATOR	Eric Gordy, School of Slavonic and East-European Studies at University College London, London, United Kingdom, e.gordy@ucl.ac.uk
CONSORTIUM	Centre for Empirical Cultural Studies of South-East Europe – CECS – Nis, Serbia Center for Intradisciplinary Social Applied Research – CISAR – Sarajevo, Bosnia and Herzegovina Institute for Democracy “Societas Civilis” - Skopje – IDSCS – Skopje, Macedonia Institute of Ethnology and Folklore Research – IEF – Zagreb, Croatia Center for Historical and Anthropological Research – QKHA – Tirana, Albania Riga Stradins University – RSU – Riga, Latvia School of Slavonic and East-European Studies – SSEES UCL – London, United Kingdom Social Research Kosovo – SRK – Prishtina, Kosovo University of Maribor – UM – Maribor, Slovenia
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WEBSITE	http://www.formal-informal.eu/home.html
FURTHER READING	Bliznakovski, J., Gjuzelov, B., Popovikj, M. (2017) Report on Informal Life of Political Parties in the Western Balkan Societies. Institute for Democracy ‘Societas Civilis’ Skopje. Hysa, A., Kera, G., Pandelejmoni, E. (2018) Ethnographic report on Informal and clientelist political practices in Albania: The case of the 2017 general elections. Center for Historical and Anthropological Research.