

3. Prerequisites of good governance

In the early 1990s, addressing the inter-ethnic conflicts in the Balkans, Vladimir Gligorov posed the famous question, “Why should I be a minority in your state when you can be a minority in mine?” Today, the question can be asked in a slightly different fashion, “Why should I be minority in your municipality when you can be a minority in mine?”

There is an apparent tension between value-driven stress on multiethnicity and security-driven stress on accommodating various minority interests.

8. See Report of the International Commission on the Balkans, Sofia, 2005.

In the past decade, the general legal and political environment for the harmonious development of interethnic relations has improved substantially in most parts of Southeast Europe. However, the reality of interethnic relations and minority rights varies greatly. War and ethnic cleansing have resulted in significant demographic shifts. As Florian Bieber wrote two years ago⁹, while all countries of the Balkans still contain multiethnic areas, most countries are now nation states with a majority amounting to 80 % or more of the population. Most countries of the region have strong majorities where most minorities live in a relatively compact part of the country and account for 10-20% of the population. So we can talk perhaps about multiethnic regions, but no longer so much

about multiethnic countries.

Having examined the concept of good governance, it is important now to analyse the necessary conditions to put it into practice. The chapter emphasises, mostly through the case studies it presents, that decentralization, recognition of national and ethnic minorities, instruments to evaluate the needs and problems of all ethnic groups at the local level, and clearly assigned roles at all levels are prerequisites of good governance.

3.1

Security

There is widespread recognition of the fact that without democracy, the quality of governance becomes less relevant, since the ruled do not have the mechanisms to improve it. But there are also other conditions besides democracy without which good governance in a multicultural environment is not possible. Without security – understood in terms of chances of survival, chances of self-affirmation, chances of participation – talking about practices of good governance is superfluous, as the fundamental right to life is not ensured.

Kosovo

Minorities in Kosovo face two major challenges: post-war security and unemployment. All other matters (lack of substantial/proportional representation in public institutions, lack of visibility in public life, lack of opportunities, social inequality) are defined and perceived as secondary to the two aforementioned ones. In other words, security of the person and movement are sine qua non conditions for an environment in which dialogue and public debate concerning minority rights at the local level can emerge.

9. Florian Bieber, *Minority Rights in SEE*, Policy paper, King Baudouin Foundation, Sept. 2004.

3.2 Recognition of diversity

Good governance in multiethnic communities requires, as well, recognition of the ethnocultural diversity. Recognition of diversity is the first step in ensuring access to resources, participation in decision-making processes, representation in local public institutions, and policies addressing the needs of the minorities

Albania

The current state of affairs for minorities in Albania is difficult to assess as the latest census (2001) failed to record ethnic self-ascription and religion of citizens. Beyond the ongoing debates about the size of minorities in Albania, as well as their relationships with the state, this gap is pointed to as the most important wrongdoer to the situation of members of minorities in general. In other words, knowing who the minority communities are and what their numbers are is a fundamental precondition for any state action towards accommodating these communities, and thus a necessary precondition for good governance at both central and local levels.

3.3 Capacity to improve local governance

In the past few years, Central and Eastern European states have developed the legal instruments to ensure the protection of national minorities. But a part of this legislation either simply remains on paper, or its implementation is limited to the local level. Still, there are a number of cases in the region where instruments and mechanisms were developed to implement the national legislation and to solve the relevant issues at the local level, making these cases examples of good governance. One of the causes of these limitations is the lack of political will to implement it, or the lack of understanding the need for such legislation. Much of this legislation came not as a result of public debates and widespread recog-

inition of its need, but rather as an acceptance at the level of the political elite of the European requirements and standards. This is why a segment of the local public administration resists the implementation of a part of the elaborated legislation, in many cases lacking not only the will to do it, but also the capacity.

Bulgaria

In Sofia, the local authorities have decided to take action in the framework of a policy that should impact the life of the Roma communities all over the country, but it is implemented only where local willpower exists.

Romania

In 2001, the Romanian government adopted the National Strategy for the Improvement of the Roma Situation. A ten-year programme, the Strategy addresses a range of issues of relevance for the Roma, including community development, housing, social security, health, childcare, employment, justice and public order, education, culture and communication. However, instead of becoming a model of good governance, the Strategy has failed in the implementation process due to a series of factors related with the preconditions of a local good governance model: the clearly differentiated

roles and attributes between the central and the local levels, allocation of necessary financial and human resources for implementing the programme, and the political will to do so.

Serbia

In the case of Serbia, the low level of implementation of the Law of Self-Government is due to mechanisms that are too unclear to put in practice. Yet again, a law is not implemented in the same way throughout the country; rather, its implementation and the specific mechanisms can be a product of local initiatives.

3.4 Decentralization

Decentralization can be understood as the process of dispersing decision-making closer to the point of service or action. To put in a different way, it means bringing decisions closer to the people.

Decentralization implies at least two levels of decision-making, the local and the central level; thus, the type of power relations/hierarchy between the two and how well the roles are delineated between the two levels defines the degree of decentralization and the functionality of the model.

Centralization, or insufficient decentralization, is yet another barrier to ensuring good governance at the local level. Lack of decision-making power, insufficient human and financial resources, overlapping competences between the local and the central levels, or overruling power of the central level over local decisions, are all aspects that impede good operation at the local level, and there-

fore any form of good governance. Thus, delegation of decision-making responsibilities from the central to the regional and the local levels is another precondition of good governance.

Albania

The social situation of Albania is defined by a strongly centralized state where local level authorities simply carry out decisions made in Tirana and remain reluctant towards initiating actions tailored for the specific needs of their very communities. Moreover, the strategies adopted by the central government for the improvement of minority communities' standards of living and levels of economic and social integration (the Roma, specifically) remain powerless and unapplied as they sprout in international pressure and remain uncorrelated to domestic needs.

The argument for decentralization is clear: with more decision-making capacity fostered on the local level, minorities are able to govern themselves to a larger degree, which in turn should increase their loyalty to the state. The reality of decentralization and local interethnic relations is, however, far from being that straightforward.

In some cases, the fashionable policy of decentralization increases the process of ethnic separation in certain parts of the region. In Macedonia, in particular, we can observe the trend towards a consolidation of ethnically homogeneous regions, resulting largely from the 2001 conflict. Moreover, in many cases across the region, from disruptions of the return of refugees to discrimination against the Roma, local governments are often the most serious violators of human rights through what has been named 'grassroots nationalism'¹⁰. They are less accessible to international pressure and their actions could become a source of tension and even destabilisation. At the same time, national governments are often unable to exert pressure on municipalities, which follow policies hostile to minorities.

This shift demonstrates the need for a policy that will reconcile local self-governance with the principles of multiethnicity, as suggested recently by the International Commission on the Balkans. At present, the monitoring of minority rights is focused at the national level and on national minorities, although the bulk of minority rights and multiethnic policies are to be implemented by local authorities. This practice has to

change. Moreover, despite emerging legal provisions and mechanisms, real participation of ethnic minorities in decision-making is very limited and lags behind political rhetoric. As suggested by Florian Bieber, the institutional structures that have been in place at the local level to represent minorities and scrutinize municipal policies should be supplemented with non-institutional cooperative traditions at the local level.

This is where we touch upon the issue of good governance. A functioning state is not only an administrative or a political entity; it is also a social phenomenon. The growing gap between the state and key social constituencies is to be regarded as a critical risk for the success of the transforming politics in Southeast Europe. Reforms to public administration and signs of positive changes in the economy are not sufficient to bridge this gap. What is needed is a new generation of policies that focus on democratisation and on the quality of political representation, based on core values of good governance: participation, transparency, accountability and responsiveness.

Democratic government and personal security are the characteristics without which any discussion about good governance becomes irrelevant. The need for enforcing the legislation, for creating capacities at the local level and for allocating resources, and centralization are further elements that limit the emergence of good governance models at the local level. The following chapter shows how through the joint effort of local authorities and civic organizations, these barriers can be surmounted.

10. Bieber, 2004.