

LEGAL NEEDS AND PATH TO JUSTICE IN THE REPUBLIC OF MACEDONIA

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LEGAL NEEDS AND PATH TO JUSTICE
IN THE REPUBLIC OF MACEDONIA

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FOREWORD

The eight publication in the edition “Law Watch Analyses: A Closer Look at the Application of the Laws” titled “Legal Needs and Path to Justice in the Republic of Macedonia” is an exception that was deemed necessary on the basis of our three-year continuous monitoring of reform laws. As we were exhausting the topics planned for this edition - all of which identified the shortfalls in the system for human rights protection – the need for detailed analysis of problems faced by the citizens and their perception of the legal system’s fairness became more obvious. In that sense, the fact that our colleagues from the Open Society Justice Initiative have dedicated years of service to this type of research and have already developed the questionnaire that allows data collection on the manner in which citizens’ access to justice is exercised under the existing system was of great help. However, we would not have been able to successfully adapt the questionnaire without the expertise, knowledge and insight in the Macedonian legal system disposed by the researchers from *REACTOR – Research in Action*. Therefore, credits are due to the researchers and authors of this publication, Jana Korunovska Srbijansko, Neda Korunovska and Tanja Maleska, for their hard work, commitment and perseverance in linking and explaining the data collected in Macedonia against the broader goals of the social policy, in a short time period.

In this publication, the authors provide a detailed analysis of frequency rates of different justiciable events in general and per specific category of legal issues. Individual issues and categories are analysed in detail against the eight social and demographic characteristics of the sample (age; gender; ethnicity; education level; place of residence in terms of geographical region and type of settlement (rural or urban); labour market status; and household income). The second section of the publication addresses the road to justice for citizens who are facing legal problems; their experiences with the judicial system and legal problems’ negative

effects on their livelihood. In addition, the authors identify and analyse certain implications of the policy reforms, especially those related to the legal aid services available in the Republic of Macedonia.

Actually, the future reform of the legal aid system that could emerge as a result of this research is the main reason that triggered the decision to include this publication “Legal Needs and Path to Justice in the Republic of Macedonia” in the edition “Law Watch Analyses: A Closer Look at the Application of the Laws”. This edition is part of the FOSM’s Subprogram on Legislation Approximation, whose main goal is to advocate for adequate enforcement of newly adopted laws as part of the national legislation approximation with the EU *acquis*.

The Editors

ACKNOWLEDGEMENTS

We would like to take this opportunity to thank many of the people that helped shape and bring to life what we believe is a very important publication for the citizens of Macedonia. There were so many individuals involved in the activities leading up to this publication that we cannot possibly name all of them, but we would nevertheless like to formally recognize the contributions of some of them. We want to firstly extend our gratitude to Dance Danilovska and Nada Naumovska from the Open Society Foundation – Macedonia for their patience and invaluable support. Not only did they provide helpful feedback in all the stages of the study, but together with Zaza Namoradze and Lotta Teale from the Open Society Justice Initiative they initiated this survey, helped us finalize the questionnaire, were understanding, flexible and helped us solve various problems encountered during the making of this publication. More importantly, we would like to thank them for recognizing the pressing need for a study of this kind and for having the foresight to include it in the work of the Law Program at Foundation Open Society – Macedonia.

We would like to recognize the contributions from legal practitioners and civil society organization members who helped us improve the questionnaire, along with Martin Gramatikov, who also provided insightful and valuable commentary on the methodology and the design of the study.

We also want to thank Filip Dimcevski and Blazen Maleski, junior researchers at Reactor – Research in Action, who worked tirelessly and supervised and conducted the fieldwork along many researchers.

Finally and most importantly, we would like to thank the 2,858 Macedonian citizens who took part in the survey, selflessly giving their time for no personal reward and agreeing to be interviewed on sometimes very delicate and personal experiences, without which this study would not have been possible.

This study provides, for the first time in Macedonia, exclusive insight into citizens' problems and their paths to justice. In doing so, it presents what we believe is unique information about the extent to which the current system that provides access to justice is linked to the broad social policy objectives and illuminates the grave economic, social and health consequences when the system fails to assist citizens in achieving justice. We hope, therefore, that the findings will be used as guidelines for reform of the current system for free legal aid.

FROM PROBLEMS TO JUSTICE: **KEY FINDINGS AND THEIR IMPLICATIONS**

The first chapter of this study summarizes the key findings of the Legal Needs Survey in Macedonia and discusses what are in our opinion the most important conclusions that can be drawn from those findings. It identifies and explores some of the implications for policy reforms, in particular for the free legal aid services available in Macedonia, and recognizes the need for further research.

LIVING WITH PROBLEMS

This study revealed that it is common in Macedonia for people to live with non-trivial problems that have a legal remedy. Half of the population (49%) declares to have experienced at least one justiciable problem, over a period of three years. While those who experience problems usually experience more than one problem, the problems are not interconnected and for most of the citizens it is likely that the problems they face will not be triggered by other events. The most common problems are housing and property related, faced by one in four respondents (26.4%). Other commonly reported problems include those related to employment, consumer problems, and money or debt related problems. Less frequently reported problems included those related to children, education, health, police mistreatment and problems with partners. For most problem types, the mean number of problems experienced by respondents was between 1.3 around 1.5, although certain types of problems seem to occur with considerable frequency, such as employment related problems (1.8) and problems to do with living in rented accommodation (2.2).

LANDSCAPE OF DISPUTES

The most common problems among Macedonian citizens are problems related to *housing and owned property*. According to our study, every fourth Macedonian adult is expected to have some type of housing or property related dispute. The most common types of housing/property problems are getting incorrect or disputed bills (especially among low income families), getting or keeping utilities and getting planning permissions (especially in Skopje). Housing problems are most common among the older citizens and those that live in Skopje.

The second most common group of problems are *consumer problems*, faced by more than one in six respondents (17.4%). The most common problems were consumer fraud or defective goods or services, including fake guarantee, which were reported by every tenth respondent. Other common problems were signing contracts without understanding them or getting into a dispute over conditions in consumer contracts and not getting agreed and paid goods and services.

The third most common problem people in Macedonia face are *money related problems*, which affect 15.8% of the population. This percentage is significantly lower than the official poverty rate among citizens in Macedonia, so this might be revealing of the limitation in our survey, i.e., that it was administered via telephone and citizens without access to phones were excluded from the survey. However, it may be that those living in poverty are not willing to disclose their financial circumstances. From the money related problems, the most frequent problem is repayment of money owed to them by others or collecting a debt, followed by problem paying a loan, bill or debt. For those who have problems paying bills, this problem is usually a constant one.

The scarcity of working places and what is more, of decent working places in the country is another big problem. Not only is the working force small¹, but the number of complaints among those who do have a job is noteworthy. One in five respondents who are active on the labor market had at least one *employment related problem*. In terms of reoccurrence of the problems, it is worrisome that for those who experience employment problems, half of them will frequently or continuously face them, unlike any other problem category. Almost one in five of those citizens believed they were discriminated against in their job search. This could be taken to indicate that workers' rights are very vulnerable in the Macedonian labor market. It is additionally worrisome that losing a job or being threatened

1 43.9% of the total sample

to lose a job was most evident in people from low-income families. Another common employment problem was getting paid or getting overtime pay, vacation pay, or redundancy pay, faced by every tenth economically active respondent.

Government related problems are reported by 7.6% of the respondents and include problems with various government financial transfers and taxes, but also access to information and services. The most frequent problem was access or entitlement to state aid in agriculture, followed by problems related to access or entitlement to welfare financial aid.

Closely related to the housing problems are the *problems related to renting or living in rented property*. While a insignificant proportion of the population (4.6%) rents or lives in rented property, one in five of those respondents claimed they had problems with their landlords/tenants. Most of the problems faced by the renters are related to the condition of the property (such as poor or unsafe conditions, getting the landlord to do repairs or harassment by the landlord). Furthermore, money-related problems, such as repeated non-payment of rent, bill arrays or getting a deposit back were not that common problems of tenants. On the contrary, most of the problems faced by the owner are money-related (repeated nonpayment of rent, bills array or unpaid destruction of property).

About a fifth of the respondents who were at school sometime during the reported period (14% of the sample) had faced some type of an *education related problem*. Corruptive practices at school, such as being forced to buy books from professors is the most common type of a problem, followed by unfair treatment by professors. The problem with the education fee, although a less common problem, is a money-related problem that is a continuous or a frequent problem for those affected. More severe problems, such as harassment at school or unfair exclusion or suspension from educational institution are the least frequent types of problems.

One third of the respondents had underage children in the last 3 years and of these only 6% reported having faced some kind of a *child-related problem*. Only 6% of respondents reported having a *health related problem*, with accessing appropriate health care cited as the most frequent health problem. While the vast majority of respondents reported incidental (i.e., once or rare) problems connected to harm done by health professionals or injuries in public spaces or due to traffic accidents, half of the respondents who had problems with violation of patients rights, access to appropriate health care, environmental health problems or health problems at work, claim that these happen frequently or continuously. *Discrimination* is a

problem experienced by 6.1% of the respondents. They reported various grounds for discrimination, with ethnicity and political party affiliation being identified as the most common grounds for discrimination. A small number of the population (3%) reported *problems with police*, with the majority having experienced unfair treatment by police, such as harassment, improper search or seizure. Furthermore, some respondents reported that they were denied exit at the borders, and it is worrisome that the majority of these were Roma.

The least frequently reported problems are those involving *partners*. While 70% of the respondents reported living with a partner for at least some time during the last 3 years, only 1.1% of them reported having some kind of serious problem with their partner. Those who did, on average reported having only one problem. The most frequent problem was divorce or separation, followed by violent or abusive relationships with a partner.

PROBLEMS ACROSS THE POPULATION

The study revealed numerous socio-demographic differences in the reporting rates for all problem categories. The reporting differences are caused by one of the following factors or a combination of them: age, gender, educational attainment, labor market status, household income, as well as the place of residence of the respondent (both type of residence, i.e., whether the respondent lives in urban or rural area, as well as the territorial region of residence). Specifically, the younger², more educated, economically active, male and urban respondents report more justiciable problems. However, exceptions exist for certain problem categories. For example, while in principal those with lower educational attainment reported the fewest problems, they have the highest occurrence of problems with accessing government aid and services, getting paid, and were among parents who had serious concerns over the safety of their children while at school/kindergarten. Furthermore, while female respondents are less affected than male respondents in general, they are more likely to report having been denied workers' rights, such as maternity leave, paid holiday, sick leave and are more vulnerable to some types of discrimination, such as discrimination on the basis of their gender, being a parent (having children), and their marital status.

The only *non-influential predictors* were marital status, as well as (to some extent) the ethnical background of the respondent. Namely, there

2 While the relationship is almost linear, the peak is between 30 and 39 years, except for the refusal of workers' rights, discrimination, and unfair treatment by police where youth (18-29) are most vulnerable.

is generally speaking no important difference between the reporting of justiciable problems between ethnic Macedonians and ethnic Albanians, the two major ethnic groups. Respondents from the other ethnicities report significantly more problems, but since their group is smaller and consists of many ethnicities within this smaller subcategory, this difference cannot be meaningfully interpreted. While in general there are no differences in the reporting patterns between ethnic Macedonians and ethnic Albanians, significant differences were identified for particular problems. For example, ethnic differences exist in several housing problems, where Albanians are more likely to report problems related to communal repairs or maintenance of property, and getting or keeping utilities like telephone, water, electricity, heating, and internet. On the other hand, Albanians have less problems or disputes with neighbors. Additionally, Macedonians are more likely to report having money related problems.

The small influence of the *financial background (respondents income)* on the vulnerability to justiciable problems might be due to the factor cancelling itself out for different types of problems. While for certain types of problems respondents from higher income families are more likely to encounter justiciable problems, for other types of problems this is true for respondents from the lower income households (ex. problems with education fees). Interestingly, household income differences do not impact reported consumer problems.

If we look at the identified factors that contribute to the reporting of problems (younger, educated, male, urban), this suggests that it is possible that systematic underreporting of problems might be caused by the inability to recognize a problem of a whole segment of the population in Macedonia, which is a question both of awareness and capability. Underreporting might also have occurred because of the strong socialist traditions, so problems might be more likely to be perceived as collective rather than individual. For example³, the lack of water supply in a village is seen as a feature of the village, rather than as an individual problem.

DIFFERENT PATHS TO JUSTICE

When faced with a justiciable problem, two thirds of the citizens in Macedonia try to resolve it. Most of them do so by themselves and with direct contact with the other side in the problem. Of the respondents that took some kind of action to resolve their problem, one in three

3 As stated by one respondent

sought some kind of legal advice as a step toward resolving the dispute. When making those decisions, citizens rely mostly on advice and recommendations of the people they trust the most: their family, friends, colleagues and partners. Almost half of the respondents stated that they contacted their most essential adviser based on suggestions from people they personally knew. The second most important 'push factor' is the respondent's own experience or initiative. Advertisements and other forms of help are almost entirely unutilized. The number of cases in which mediation is applied is extremely low and the number of successfully completed mediation cases is insignificant, reflecting the still trivial impact mediation has on dispute resolution in Macedonia today.

Citizens are very pragmatic in their expectations from advisers. They expect and search for advice in an attempt to generate new ways and approaches to solving the problem. One in three respondents sought legal advice about their legal rights, which indicated a great knowledge gap. An additional quarter wanted information about the possible procedure if they decided to pursue a formal solution to the problem. Our evidence shows that the received advice is relevant and generally helpful for the citizens. However, almost one in five respondents were not satisfied with the received counseling and one in every ten citizens is dissatisfied and finds the received aid useless.

While respondents deal with most of the problems, there is a great difference between the different types of problems. The analysis also revealed that the likelihood to act on a problem depends on its value.

A substantial number of problems (one third) are not dealt with. Most often this is because of skepticism or a belief that nothing could be done or the loss of confidence that someone can help. This is a serious cause for concern and needs to be seriously considered, since it undermines the possibility to utilize the advice system. Additionally, one in five respondents fails to take any action because they did not have enough money to pursue the matter further. This is worrisome, since it may indicate that access to justice in Macedonia is limited for low-income citizens, making them more vulnerable. This is further proved with the analysis that identified categories of people who are more likely to be inactive than others. Our study suggests that the people who are more likely to do nothing are the poor, the younger and the unemployed. Additionally, there is a difference in activity among ethnicities, with Albanians being less likely to do something.

The study suggests that inactivity is also dependent on the type of problem. For example, respondents are mostly passive when it comes to cases of discrimination, in relation to police and when they have a dispute

with government institutions. This might be the result of discouragement, which may be rooted in the complexity of the burden of proof (such as in discrimination cases), or lack of trust (police), or discouragement of the fairness of the procedure (going against the government). Furthermore, respondents were reluctant to take any action to resolve education and health-related problems.

OBJECTIVE AND ACHIEVING RESULTS

When faced with a justiciable problem, citizens want to solve it. The most common objectives are delivery of justice, elimination of the problem, getting money or compensation from the other side, or protecting their real estate. Other objectives were less common, such as trying to get a reduction of a bill, finishing a relationship, accessing public services or protecting goods. The least common objective was revenge, reported by a small number of the respondents (2.6%).

Respondents who were actively facing an unresolved justiciable problem were also asked whether they expect to achieve the desired outcome in the problem they are experiencing and they were divided in their responses. One half were skeptical, of which every tenth respondents believe that it is not likely at all that they will see the desired outcome. The other half was optimistic and thought it likely to achieve the desirable outcome, with one in five respondents thinking that this is very likely.

Reported optimism decreases with the length of the ongoing problem, i.e., problems that are not finished yet, and also depends on the 'other side' of the problem. The majority of the public expects to be mostly satisfied when they face problems against family members and about half expect to be satisfied with the outcome of a problem involving state institutions and problems against non-relatives. Citizens are less optimistic when it comes to achieving the desired outcome in problems related to a private entity and the least optimistic when it comes to problems involving their employers, where only one in three expect to be satisfied with the outcome.

It was disappointing to find that only two out of five problems that respondents faced in the past three years were solved, while the rest were still ongoing. Furthermore, of the problems that were over, only two of five were deemed successful. If we look at the type of problems and compare the status of the problem, we can conclude that tenants' problems and problems with police are most likely to be over, while problems with discrimination and with the government are most likely to be unfinished, or still ongoing, indicating that the seriousness of the problem is not

the only factor that contributes to the duration of the problem, but also other factors such as power relations between the parties involved in the problem, as was the case with problems with government institutions.

The problem value also correlates with the status of the problem, so the more valuable the problem, the less likely that it is finished. This indicates that the seriousness of the problem contributes to the duration of the problem, but also signals that citizens might experience more negative effects in such cases.

OUTCOMES

The analysis of the dispute resolutions reveals that most citizens are unfortunately not satisfied with the outcome. Two out of five respondents were dissatisfied with the outcome, with an additional one fifth reporting they were very unsatisfied. This means that three out of five respondents are not happy with the outcomes, despite their efforts to solve the problem. Expectedly, since the majority of the respondents were not satisfied with the outcome, they believe that the 'other side' is more satisfied from the resolution.

Linked to the satisfaction from the outcome is the perceived justness and fairness of the outcome, for both of the parties involved in the problem. In this sense, respondents were asked to state how fair they think the outcome was for everybody concerned. Unfortunately, two thirds of the respondents believe that the outcome was unfair. This perceived lack of fairness has negative consequences on the trust in the judicial system, but also on the empowerment of citizens to take actions for solving their problems. Further research is needed in order to explore where those perceptions are based, since this study only explores some of the factors that might contribute such as the time needed for solving the problem, the support available, or the attitudes towards the legal system.

IMPACT AND PERCEIVED FAIRNESS

The results indicate that people perceive drastic negative effects resulting from the problems. The most negative effect is stress, where two out of five respondents felt they were maximally stressed due to the problem, with two thirds reporting great stress. Similarly, citizens reported great financial damage caused by the problems, with over a third claiming that their justiciable problem involved a life-changing amount of money. The majority of the respondents reported being faced

with serious financial damage due to the problems. Respondents also perceived that the experience of the justiciable problem was harmful to their life in general.

Looking closely at the opposing parties in the problem faced and their interdependence to the status of the problem, strategies employed and perceived fairness of the process, we can conclude that these are dependent on the other side of the problem. Firstly, we can notice a trend of dependence of the percentage of finished problems on the type of organization/person representing the 'other side'. The completion rate varied and it was more likely for a problem to be solved if the other side was a private organization, family member, a partner, or a non-relative, and less likely to be solved when the other party is the state or an employer. This indicates that the citizens are in a disadvantaged position compared to those who should guarantee their rights (the state and the employers). This should be a great cause for concern and an impetus for reforms in these areas. Based on the clear interdependency between the 'type' of opposing party and strategies employed by respondents to resolve the issue (or lack thereof), it is not surprising that citizens are skeptical when it comes to pursuing cases against their employers or state institutions.

Additionally, if we see the interdependence between the opposing parties in the experienced problem and the respondents' satisfaction with the outcome of the problem, we can also notice a trend of dependence of the perception of fairness on the type of organization/person the 'other side' is. While on average most of the respondents felt that the outcome of the problem was not fair, the level of satisfaction differed varying from most satisfactory when the other side is family or a partner, and least satisfactory when the other party is an employer and the state. Linked to the previous findings, it is not surprising that citizens are skeptical of the outcome of a problem involving state institutions and employers, nor that this negatively affects their choice of strategies, meaning that it is most likely that citizens will do nothing if their problems involve the state institutions or their employers.

These findings suggest that citizens are discouraged to take any action when they face a problem against their employer and/or a state institution, since they believe from the very beginning that they are destined to fail. This perception also negatively impacts confidence in institutions, which is another predictor for taking action to solve a problem. It is important that further research is conducted to explore the reasons behind such negative perceptions and to identify

ways in which to improve them, as this will be crucial for the further improvement of citizens' paths to justice. This suggests that further policies aimed at increasing access to justice in Macedonia must take into consideration not only the number of justiciable problems, but also types of problems experienced, as well as the ease or difficulty with which those disputes can be resolved.

OPINIONS ABOUT THE JUSTICE SYSTEM

The study indicates that the majority of Macedonians have a negative attitude toward the justice system, especially toward its fairness to poorer citizens. However, the majority of the respondents still agreed that the courts are an important means for ordinary people to enforce their rights (more than two in three agreed with this statement) and opinions were somewhat divided on the general fairness of the justice system. Perhaps one of the most important findings of the study was that attitudes were significantly more negative among those respondents who had more experience with justiciable problems. The evidence suggests that the problem precedes the attitude, i.e., that the experience of an attempt to solve a justiciable problem causes the negative attitude. This indicated that a direct experience with the judicial system tends to increase levels of negativity among the population.

It is interesting to note that among the respondents who have experienced a justiciable problem, those with very positive attitudes are less likely to have taken an active measure to solve their problem than those with very negative attitudes. This is somewhat surprising, because one would expect people with negative attitudes to be more passive toward solving a justiciable problem, since they do not believe that they would get a fair hearing.

IMPLICATIONS FOR POLICY REFORM

This study has illuminated the widespread of justiciable problems in the Republic of Macedonia. Although in most cases where citizens were faced with justiciable problems action was taken to resolve these problems, less than one in ten of the respondents were involved any kind of formal court proceeding, or turned to mediation and other alternative dispute resolution processes. In three out of five of all cases no resolutions to the dispute was achieved. The results of our study therefore suggest that there is a 'hidden' potential demand for the civil justice system. The following are some of the implications for policy reform that stem

from these key findings; however, further stakeholder consultations are needed in order to identify possible alternatives that would be of public interest, aimed at improving the civil justice system in Macedonia and in the particular the mechanisms for access to justice.

- 1) *Increasing personal capacities* – The study has shown that underreporting is linked to individual capacities and awareness to recognize and identify the problem. In this sense, programs that support individuals need to be supported, from legal education to community legal aid services that would be able to provide tailored support to citizens.
- 2) *Increasing citizens' overall understanding of the legal system*, and in particular citizens knowledge on their rights, obligations, remedies, and procedures for resolving justiciable problems. The study clearly identifies that there is a serious need for increased citizens' knowledge in order to support their legal empowerment. In this sense, mainstreaming active citizenship curricula across public education will be crucial. Additional efforts need to be invested to cover the adult population that does not comprehend the new judiciary system.
- 3) *Improving the public image of the judiciary* – However biased, the negative public image of the judiciary should be a great cause for concern. Relevant bodies (such as the Judicial Council) should take serious measures to increase the trust in the judiciary, by various methods, among which sharing positive examples with the public, engaging more actively with the media, interacting with the education system, etc.
- 4) *Reform court procedures to address citizens' needs*, in particular the transparency, impartiality and length of the court procedures. In this sense, taking into consideration various examples for improving the performance of the judiciary could be beneficial. For example, devising a different system for case management, the process of which should reflect on length, prioritizing, as well as the involvement of the judges.
- 5) *Promotion of mediation and other forms of alternative dispute resolution* – serious efforts are still needed in order to utilize mediation as a new form of dispute resolution. Promotion and awareness raising, firstly among legal practitioners, could prove very beneficial in addressing skepticism and increasing the future potential for referral. In this sense, a more active involvement of the mediators and their promotion (including positive examples) in the public is crucial.

METHODOLOGY

This research report is based on a quantitative study carried out by **Reactor – Research in Action** in 2012, and initiated and supported by the **Open Society Foundation – Macedonia** and its affiliated **Open Society Justice Initiative**, which also provided expert support. The study was conducted in two stages. We first conducted a computer assisted telephone interview (CATI), which served as a screening survey for the general adult population (aged 18 and above) and which was designed to estimate the prevalence of problems (justiciable events) in the previous three years (since September 2009). This part of the study involved a sample representative of the population of the Republic of Macedonia, for a total of 2,858 individuals. The second stage was a detailed telephone interview that followed the screening survey and included individuals from the first sample who had reported at least one non-trivial justiciable problem. A total of 806 individuals were included in the second part of the study.

SAMPLE DESIGN

When designing the study, two important sample related questions were discussed. Firstly, it was important to decide whether the sample will be drawn from the general population (as in Genn (1999), Pleasence (2006), etc.) or whether the population of interest should be low-income households (as in the ABA 1996 Study), because the latter may have different patterns of legal problems and because public policies that cover free legal aid and regulate publicly available legal services tend to focus on these families as potential beneficiaries. We chose to focus on the general adult population based on a number of arguments. Firstly, the percentage of the population living in poverty in Macedonia is very

high (the relative poverty rate is estimated at 30.4%)⁴ and therefore even a general population sample frame will allow for a great number of low-income respondents. Secondly, theoretical and empirical evidence suggests that the legal advice sought is distributed in the population in a U-shape⁵, meaning that middle-income families might be at the greatest risk and should therefore be surveyed. Thirdly, the other countries involved in similar surveys supported by the Open Society Foundations network administered general population surveys and it was useful to take the same approach in Macedonia for comparative purposes. However, taking into account that the survey was conducted via telephone, one of the limitations of our study is that it did not cover the homeless, as well as the poorest segment of the population (assuming that they do not possess landline or cell phones).

The second important question was the sample size. Being the first research of its kind conducted in Macedonia, there was no previous information on the proportion of the population that would potentially be eligible for the second interview, i.e., those who had experienced a non-trivial justiciable problem. We used previous prevalence studies to anticipate the percentage of the population with a problem and initially targeted a sample size between 2,500 and 2,900 respondents (net sample), in order to secure a sample size of 1,050⁶+ eligible interviewees for the second part.

QUESTIONNAIRE

The questionnaire used in this study is based largely on the questionnaire designed by Hazel Genn in her seminal work *Paths to Justice* (Oxford, 1999). Several steps were undertaken in order to adapt the Legal Needs Survey methodology to the Macedonian context, i.e., the local legal and institutional environment. Most importantly, two focus groups were conducted to identify problem categories and to test the language and wording of questions, followed by a pre-testing of the questionnaire. This ensured a valid adaptation of the questionnaire in the Macedonian and Albanian language. Additionally, the final versions of the questionnaire

4 State statistical office, news release 2011: <http://www.stat.gov.mk/pdf/2012/4.1.12.50.pdf>

5 Trebilcock (2008). Report of the Legal Aid Review 2008. Ministry of the Attorney General, Ontario, available at: http://www.attorneygeneral.jus.gov.on.ca/english/about/pubs/trebilcock/legal_aid_report_2008_EN.pdf

6 1,050 is the sample size required for estimations within the $\pm 3\%$ margin of error

and the methodology were sent to an international expert (Martin Gramatikov) for review and comments and were revised accordingly.

Focus groups

In the week of July 23-29, 2012 two focus groups were organized and held by our research team. In the first focus group there were six participants representing non-profit organizations that provide free legal aid throughout the country⁷ and come from the four largest cities in Macedonia (regional centers). All participants had a legal background (attorneys) and work directly as legal councilors, providing free legal aid in a wide range of areas. The first focus group was held in the premises of Foundation Open Society - Macedonia. The second focus group was held in Reactor's offices and consisted of eight ordinary citizens with no legal background, nor close family members that have a legal background or work in the legal profession (attorney, prosecutor, police, judge, mediator, etc.).

Sessions that lasted 90 minutes were held with each focus group, with a member of our team moderating the discussion. All discussions were audio taped and notes were taken during and immediately after the interviews. The main aim of the focus groups was to select the list of problems to be surveyed (problem categories) and to test the clarity of the selected problems categories.

Adaptation of the questionnaire

As mentioned above, the questionnaire for this survey was designed in English using the already existing Legal Needs Survey questionnaires. The adaptation into Macedonian was done using the blind back-translation method⁸. Since the main (filter) questions were designed as a result of the focus groups, the research team decided that more complex approaches (for example, a revision committee) were not required.

The translation of the original English version of the questionnaire was done by a researcher whose native language is Macedonian, who has a legal background, and who had not participated in the design of the questionnaire. The translator was instructed to focus on a conceptual rather than a literal translation. A back-translation of this version was conducted by a second, bilingual researcher who had not participated in

⁷ They are all part of a free legal aid network, supported by the Open Society Foundation - Macedonia

⁸ Alonso, J., Anto, J. M., & Moreno, C. (1990). Spanish version of the Nottingham Health Profile: translation and preliminary validity. *American journal of public health*, 80(6), 704-8.

the first translation phase and who is bilingual in English and Macedonian. This was an important step for verifying that the meaning of the Macedonian version matched the meaning of the original English version. If the meaning of a particular word/phrase seemed to be lost or altered, the whole process was repeated for the relevant question. The same procedure was performed for the Albanian version of the questionnaire as well. Translation quality was especially important for our survey, since it was administered in two languages. Therefore, both translations had to reflect the original in the exact same way, to avoid the risk of getting answers that are not be compatible and comparable.

PRE-TESTING

Once the questionnaires were translated, we conducted a small field test. We first conducted 10 face-to-face interviews to discuss the clarity of the questions for the Macedonian version of the questionnaire, followed by 5 face-to-face interviews using the Albanian version. Following the interviews, discussions were held with the respondents to assess potential misunderstandings and difficult questions, as well as to assess the validity of the questionnaire. In addition, 20 randomly selected telephone interviews were carried out to test the questionnaire and to estimate the duration of its administration. After this phase, small modifications were made based on the lessons learned from the initial test. In the pilot-test phase, we tested the entire administration procedure, meaning that in addition to the questionnaire, we were looking at the CATI system, supervision methods (audio taping), coding, and interviewer instructions. In addition to this first test, the data from the first 100 questionnaires of the survey was analyzed to check for additional problems, but no major problems were identified.

THE SURVEY

The main survey was carried out by Reactor—Research in Action using computer assisted telephone interviews (CATI),⁹ since people responding to telephone surveys ‘are more likely to be willing to talk about their problems’ (Currie, 2005). The survey was conducted during October and November 2012 from 10 am to 9 pm every day except Sundays, unless a respondent scheduled an appointment for Sunday. The interview was

⁹ As opposed to the face-to-face interview used in the UK and Bulgaria, and similar to the surveys conducted in Canada, USA and Australia, which were conducted over the telephone.

carried out by 17 ethnic Macedonians, 4 ethnic Albanians and one ethnic Roma interviewer, all trained and supervised by Reactor–Research in Action. In accordance with quality control procedures, the first dozen interviews were supervised. Additionally, interviews were audio taped and 15% were back-checked by project researchers. The interviewers received daily feedback about the quality of their interviews and ways to improve the interviews. A total of 2,858 citizens that are representative of the Macedonian population were interviewed.

The questionnaire that was used shared much in common with those used in the *Paths to Justice* surveys, adopting the same approach to identifying problems, including the same ‘triviality threshold’¹⁰ for detailed follow-up, and featuring the same limitation to ‘private individuals’¹¹ (see next chapter for survey details). All respondents completed a screening interview, in which they were asked if ‘in the last 3 years, i.e., since October/November 2009’ they had experienced ‘a problem’ from a long list of problems that had been ‘difficult to solve,’ in each of the following problem categories: consumer, employment, housing, money/debt, welfare benefits and government aid, rented housing, including problems with tenants and landlords, family, children, discrimination, health, and unfair treatment by the police. In each of these categories, subsets of problems were read to the respondents. For each sub-problem the respondents were asked to indicate if they matched their own problems, and if yes – when and how often. For example, within the employment related problem category, specific problems that were included were the work environment being unsatisfactory or dangerous, or problems getting paid. A detailed list of all problem categories, specific sub-problems and their incidence is provided in Annex I of this report.

First Part: Screening Survey

The total sample of 2,858 individuals aged 18 and over were interviewed in the first part – the screening survey, which generally asked whether they had experienced various types of problems in the past three years. All interviews were conducted by telephone using CATI and lasted 14 minutes on average.

The screening questionnaire collected information about the following types of problems:

- » Consumer
- » Employment

10 Not serious enough to be regarded as justiciable

11 Excluding problems encountered within their occupation or business

- » Housing/Property
- » Renting out property
- » Living in rented property
- » Money
- » Problems with government transfers and services
- » Education
- » Problems with partners
- » Children related problems
- » Health related problems
- » Discrimination
- » Problems with police, problems experienced as a victim of crime, defamation and privacy violation
- » Other, self identified problem

For each category, problems specific to the category were read to the respondents and they had to answer whether they had encountered that particular problem in the last three years¹². If their answer was yes, they needed to give the approximate time (month and year) when the problem started and to state how often they encountered the problem: once, more than once but rarely, occasionally or frequently. Respondents were also asked whether they have encountered any other serious problem in order to “catch” any possible justiciable events that were missed in the survey design. In this part of the survey the respondents were also asked whether they considered initiating a court procedure, whether they had been threatened with a court procedure, or if they had a court procedure started against them, for any reason, excluding criminal matters.

Responses were classified using the following rules:

- » Proxy responses for partners were not considered. The only exception applied was for property problems that may legally involve only the partner, but affect both the respondent and her/his partner;
- » Problems that started before September 2009 were included only if they were on-going after that date;
- » Problems experienced by respondents, but related to their (owned) businesses (for example money owned to a company instead of to a person) or legal representatives were excluded;

12 “In the last three years, that is since October/November 2009, have you encountered any serious problem with [problem type]”,

- » Problems that happened before the respondent turned 18 years of age were excluded;
- » Criminal problems were excluded, except being a victim of a crime that was later not investigated, or perceived unfair treatment by the police, which were both in a special subcategory of a problems;
- » Problems that happened outside Macedonia were excluded;
- » “Trivial” problems were excluded, i.e., problems that were considered not serious enough were not filtered through.

In the last part of the screening survey respondents were asked about their opinions about the justice system in the country, so in addition to testing for actual confrontations with legal problems, the survey also assessed attitudes. The attitudes were assessed with two blocks of questions. The first block contained direct statements about the justice system and the second opinions about hypothetical scenarios that involve the respondent. In the first block, the respondents were asked to state to what extent they agree or disagree with six statements concerning the justice system in Macedonia and in the second they were asked to indicate how likely they think it would be to obtain a fair resolution if they experience a problem in six different categories, i.e., “against” six different sides. Examples for the first set are *To what extent do you agree or disagree¹³ with the statement ‘I feel that the laws and the justice system in Macedonian society are essentially fair’ or ‘The judicial system in Macedonia is more fair (works better) for rich people than for poor people’.* Examples for the second set include *Please indicate how likely¹⁴ it is that you would get a fair resolution if you had a problem with your employer. For example, you were dismissed illegally or Please indicate how likely it is that you would obtain a fair resolution if you had a dispute with the local authorities regarding a building permit?* A detailed list of all attitude questions and their frequencies is provided in the last chapter of this report.

Second Part: Main Questionnaire

Respondents who experienced at least one justiciable event were then interviewed to assess their ‘paths to justice’ on a particular (selected) issue. Therefore, before the main interview was conducted, interviewers made a selection to identify a single problem. Interviewers were instructed to select the second most recent problem and to request a

13 Strongly agree, somewhat agree, neither agree nor disagree, somewhat disagree or strongly disagree

14 Very unlikely, unlikely, neither likely nor unlikely, likely or very likely

detailed description of the problem, along with an estimate of the value of the problem. Even though 49% of the respondents had faced a justiciable problem, only 29% were willing to continue with the interview and give us more detail about how they went on (or not) to solve the problem. A total of 806 individuals were interviewed in the second part – the main survey. This increased the margin of error by 0.5%, so instead of ± 3 the margin of error is ± 3.5 .

All interviews were conducted immediately after the screening survey, by telephone using CATI and on average lasted an additional 16 minutes.

The main questionnaire focused on the event selected after the screening interview and covered the following issues:

- » The nature of the dispute – its status, the other side, connection to other problems;
- » Strategies for resolving the problem – advice taken, sources of advice, respondents satisfaction with the received advice;
- » Objectives – what they wanted to achieve and the extent to which this was achieved, i.e., satisfaction;
- » Experiences of the legal dispute resolution process – including expenses incurred, accessibility of legal advice, experiences of court processes;
- » Passive strategies – where action was not taken, the reasons why and plans for future activities, if any;
- » Outcomes – satisfaction, time frame of the dispute, severity of the problem;
- » General assessment – general attitudes towards the dispute resolution process, impact of the problem on the respondents life and attitudes toward the legal system.

The data analysis of the answers was carried out using SPSS and G*Power statistical software.

SAMPLE

A total of 2,858 citizens, reached in a two-staged sampling¹⁵, were interviewed. The response rate was 52.5% of the estimated eligible sample (of citizens in a possession of a land line or mobile telephone). Response rate details are depicted in Table 1.

15 First stage simple sample, second stage stratification on bases of gender, ethnicity, age and geographical region. The sample is estimated to be representative of the Macedonian population over 18 years of age.

Table 1: Survey's Response Rate

	Number	% of total eligible sample
Disconnected/non-working number or no answer ¹⁶	1,854	33.4
Respondent refusal	558	10.6
Termination by respondent during the interview	195	3.5
Completed interviews (first part)	2,858	52.5
Total	5,465	100

The sample was perfectly gender balanced: 1,418 respondents were male, 1,419 female (50.0%)¹⁷. The respondents came from all 84 municipalities, from all regions in the country and Table 2 gives an overview of the distribution of respondents per region. The vast majority of the respondents live in urban areas (70.2%) and one third (29.8%) of the respondents live in rural areas.

Regarding the ethnic background, 2,016 respondents were ethnic Macedonians (70.9%), 603 or every fifth respondent was ethnic Albanian (21.1%) and 225 (7.9%) of the respondents belonged to other ethnicities, mainly Serbs, Turks, Roma, Vlachs, Macedonian Muslims (Torbesh), Bosnians and few others. Fourteen respondents did not disclose their ethnicity.

Table 2: Respondents per country region

Region	Frequency	%
Skopje	868	30.4
Vardar	185	6.5
East	226	7.9
South-West	291	10.2
South-East	222	7.8
Pelagonia	316	11.1
Polog	432	15.1
North-East	255	8.9
Total	2,795	97.8
Missing	63	2.2
Total	2,858	100.0

¹⁶ After 2 initial tries and additional 3 at different hours or/and different day

¹⁷ 21 respondents did not reveal their sex

The respondents were between the ages of 18 and 91, and the average age was 44 years. Most of the respondents (23.5%) belonged to the youth group (aged 18-29), followed by those aged 40-49 and 50-59, making up 18.1% and 19.2% of the sample, respectively. 17.4% of the sample were between 30 and 39 years old, 6.5% were aged 70-79 and only 2% of the sample was over 80 years of age. Only 7 respondents did not disclose their age. The distribution of the different age groups in the sample can be seen in Table 3.

Table 3: Respondents per age category

Age category	Frequency	%
18-29 years	671	23.5
30-39 years	497	17.4
40-49 years	517	18.1
50-59 years	548	19.2
60-69 years	374	13.1
70-79 years	186	6.5
80+ years	58	2.0
Total	2,851	99.8
Missing	7	.2
Total	2,858	100.0

The educational attainment of the respondents, presented in Table 4, is as follows: 46 or 1.6% of the respondents had not completed a primary education, and almost one in five respondents (19.7%) had completed (only) a primary education. Half of the respondents (50.5%) had completed a high-school education. 151 respondents, or 5.3% have a college level education, 20.7% have a university level education, and 61 respondents, or 2.2% have postgraduate degrees. 23 respondents did not reveal their educational background. For clarity and statistical purposes,¹⁸ in the analysis we further categorized the respondents in three main educational categories: those with primary education, lower than primary or no education in the “low education” category; those with a high school education in the “secondary education” category and the academics (university, post graduates and college level education) in the “higher education” category.

¹⁸ Because some sample sizes in the detailed categories were too low

Table 4: Respondents per Educational Attainment

Education (simplified)	Frequency	%	Education full categories	Frequency	%
Low Education (Primary and less than primary)	604	21.3	No formal education	46	1.6
			Primary school	558	19.5
Secondary Education (High school graduates)	1,431	50.5	High school	1,431	50.5
Higher Education (Tertiary including post secondary non-tertiary)	800	28.2	College level	151	5.3
			University	588	20.6
			Post grad	61	2.1
Total	2,835	100.0			

The sample was also diverse regarding the respondents' labor market status and the purchasing power of the households in which they live. As for labor market status, 39.7% of the respondents said they were employed full time, 1.3% were employed part time, and the unemployed made up 18.2% of the sample. An additional 15.4% were economically inactive, 6.9% were students, and 18.5% were pensioners. 62 respondents refused to disclose their labor market status. Similarly to the educational attainment of the respondents, here too we simplified the categories:

Table 5: Respondents per status on the labor market

Status on the labor market	Frequency	%	Status on the labor market, all categories	Frequency	%
Employed	1,152	41.2	Employed full time with contract	991	35.4
			Employed full time without contract	121	4.3
			Employed part time with contract	24	0.9
			Employed part time without contract	12	0.4
Unemployed	505	18.1	Unemployed, looking for work	505	18.1
Inactive (including students and pensioners)	1,139	40.7	Unemployed, not looking for work	426	15.2
			Student	191	6.8
			Retired/ Pensioner	536	18.8
Total	2,796	100.0		2,796	100.0

The average monthly income of the households is low, which reflects the poor economic state and the low purchasing power in the country. Household income is presented in Table 6.

Table 6: Respondents per monthly household income

Average monthly income per household	Frequency	%
Less than 200 US\$	399	14.9
Between 201-400 US\$	767	28.6
Between 401-600 US\$	631	23.5
Between 601-800 US\$	407	15.2
Between 801-1000 US\$	158	5.9
Between 1001-1200 US\$	112	4.2

More than 1201 US\$	1139	40.7
DK/NA	81	2.8
Total	2796	100.0

That this is insufficient household income becomes clear when we consider that the majority of citizens live in large households. One respondent reported living with as many as 24 family members. One third of the respondents (30.6%) live in families of up to 3 people, with only 2.7% of the sample living alone. A quarter of the respondents (24.8%) live in 4-member households. An additional third (32.8%) live in families of between 5 and 6 members, and the remaining 11.8% live in families of more than 7 members. If we take this structure of the respondents' households into account, we can expect that the vast majority of the respondents can only afford to buy the basics, i.e., they have low purchasing power. This confirms our assumption that even when focusing on the population at large, a high portion of the underprivileged and their problems are covered in the study.

LANDSCAPE OF PROBLEMS: **THE LEGAL PROBLEMS PEOPLE FACE**

In this part of the study we assess the frequency of justiciable problems faced by Macedonian citizens. Based on similar surveys conducted in Europe (England, Wales, Bulgaria), North America (USA, Canada) and Australia, we identify the frequency and types of problems citizens face, as well as estimate the number of people affected, i.e., the proportion of the population that potentially faces civil justice problems. The survey provides a detailed analysis of the different rates of problem incidence, both in general terms and within each specific problem category.

Additionally, each problem and category is analyzed in detail for differences on eight relevant demographic characteristics. We report whether certain problems are more or less likely to be reported by citizens of different demographic, i.e., socio-economic backgrounds. The relevant socio-demographics analyzed are age, sex, ethnicity, educational level, place of residence (both geographical regions and urban vs. rural areas), labor market status, as well as the respondents' household income.

A total of 49% of the surveyed respondents reported having experienced at least one justiciable problem in the last three years. Housing/property problems were reported most frequently (26.4%) and problems with partners least frequently (1.1%). Other commonly reported problems include those related to employment, consumer problems, and money or debt related problems. Other less frequently reported problems included those related to children and police mistreatment. All types of problems and their incidence are depicted in Figure 1:

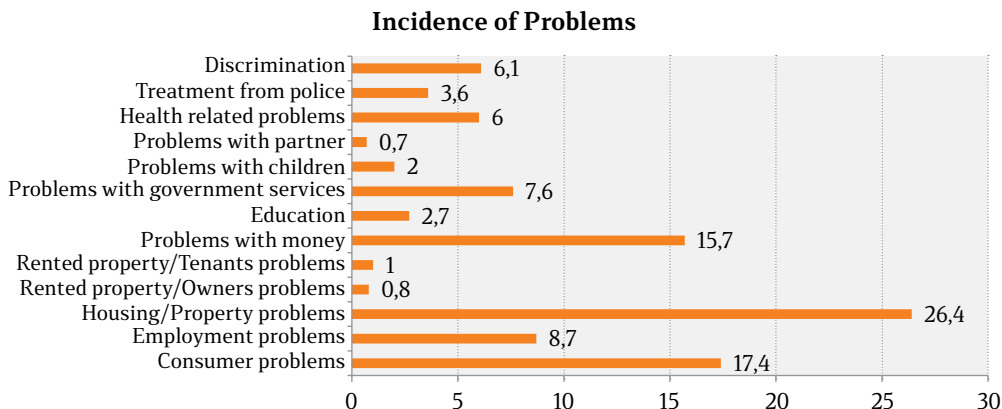


Figure 1: Frequency of Problems Reported in general (base: 2,858)

The incidence of problems reflects the possibility for Macedonian citizens to be exposed to these problems. For example, the most common problems are triggered by circumstances experienced across most of the adult population, i.e., problems that can happen to almost anyone in Macedonia. For example, housing problems arise from owning or living in a property that needs to be maintained, consumer problems arise from transactions for goods and services on the market. Money and debt problems arise from financial transactions, but employment problems are connected to employment status, and thus its smaller incidence mirrors the fact that not everyone in the population works. Thus, the rarely reported problems arise from circumstances that people experience less frequently, such as being in contact with the police, having health issues¹⁹ or living in rented property.

Some problems might also be underreported because respondents are reluctant to disclose details. This might be true for problems with partners, such as domestic violence, which is largely underreported²⁰. Therefore, it is to be expected that some problems are underreported due to social constraints or concerns over privacy, confidentiality and personal safety. Despite this, we believe that the survey provides good indicators about the problems people face in Macedonian society.

The relative proportions of the problems within the sample, their incidence both within the group that could have been exposed to the particular problem and in the total sample, as well as the estimated number of citizens affected by the problem type are depicted in Table 7. The table

¹⁹ Although it might be argued that only (systematically more) respondents in good health agreed to take part in the survey.

²⁰ Scoping Study on Gender-based Violence and Discrimination against Women and Girls in Urban Public Spaces in the City of Skopje. Reactor, 2012.

is to be interpreted as follows: The first column, the eligible respondents per problem category, describes the percentage of the sample that were asked about a certain type of problem. For example, while everybody was considered a consumer and thus asked about possible consumer problems, only 43.9% of the sample were employed or searching for employment, so only those 43.9% were asked about possible employment problems. The second column, problem incidence within the eligible group, describes how many of the concerned, i.e., how many of the eligible respondents within a problem category had an actual problem in that category. For example, we see that 19.9% of the employed and those searching for employment had employment problems, meaning 19.9% of the 43.9% eligible respondents. The third column translates this number to the total sample, i.e., reveals the number of respondents who had the problem as a percentage of the total sample, which in the case of employment problems is 8.7%. This column puts the number of concerned respondents into perspective of the whole sample. The last column estimates the number of citizens with a particular problem, i.e., it generalizes the results on the adult population in the Republic of Macedonia.

Table 7: Incidence of specific problem types and estimated absolute number of citizens affected by each type of specific problem

Type of Problem	Eligible respondents per problem category ²¹	Problem Incidence within eligible group	Problem Incidence within whole sample	Estimated number of adults with problem of this type ²²
Consumer problems	100.0%	174%	174%	280.929
Employment problems	43.9%	19.9%	8.7%	140.047
Housing/Property problems	100.0%	26.4%	26.4%	426.237
Rented property/ Owners' problems	4.7%	17.3%	0.8%	13.127
Rented property/ Tenants' problems	4.6%	21.4%	1.0%	16.238
Problems with money	100.0%	15.8%	15.8%	255.096
Problems with government services	100.0%	7.6%	7.6%	122.704
Problems with education	14.0%	19.3%	2.7%	112.302
Problems with children	33.6%	6.0%	2.0%	99.871
Problems with partner	70.0%	1.1%	0.7%	12.431
Health related problems	100.0%	6.0%	6.0%	96.872
Treatment from police	100.0%	3.6%	3.6%	58.123
Discrimination	100.0%	6.1%	6.1%	98.486

²¹ Percent of total sample.

²² Based on the most recent population estimate by the State Statistical Office, dated 30.06.2012, which estimates that a total of 1,614,535 citizens above the age of 18 live in Macedonia.

THE SOCIO-DEMOGRAPHICS BEHIND THE PROBLEMS: DISTRIBUTION OF JUSTICIABLE PROBLEMS

In an attempt to identify factors that contribute to the likelihood of reporting one or more justifiable problems, as well as to assess whether justifiable problems are distributed randomly across the population, we performed a detailed analysis. We used multiple binary logistic regressions in order to test the unique influence of a range of socio-demographic characteristics on the likelihood of reporting one or more justifiable problems in the last three years, as well as ANOVAs (Analysis of Variance) and t-tests to determine the absolute differences among different groups.

Table 8 summarizes this analysis and provides a detailed description of how people from different socio-demographic backgrounds differ in their vulnerability to justifiable problems. As can be seen from the table²³, almost all of the predictors were found to be influential in reporting justifiable problems: age, gender, educational attainment, labor market status, household income, as well as the place of residence of the respondent (both type of residence, i.e., whether the respondent lives in an urban or a rural area, as well as the region of residence) were all found to play a part in determining the frequency of experienced justifiable problems. The only non-influential predictors were marital status, as well as (to some extent) the ethnical background of the respondent. Namely, there is no important difference between the reporting of justifiable problems between ethnic Macedonians and ethnic Albanians, the two major groups. Respondents from the other ethnicities report significantly more problems, but since their group is smaller and consists of many ethnicities within this smaller subcategory, this difference cannot be meaningfully interpreted.

Of the important predictors that influence the incidence of justifiable problems, age is a prominent one. The older the respondent, the less likely it is that s/he reports a justifiable problem, as the average percentage of

²³ The values in the table are to be interpreted as follows. In the OR (odds ratio) column values with asterisks depict variables with significant differences. The odds ratio determines how much more (OR > 0) or less (OR < 0) likely it is for a person in a given group to be exposed to a justifiable problem compared to the base group (in brackets) when all other variables are held constant. For example, in ethnicity, the base is Macedonians, Albanians are not different than Macedonians (no asterisk on the OR of Albanians) and respondents in the group Other are 1.44 times more likely than Macedonians to report a justifiable problem. In region, the base is Skopje and all other regions are less likely to report a problem (all OR are smaller than 0). However only respondents from the Southwest are significantly less likely to report, specifically 1.35 times less likely (1.35 = 1/.74)

facing a problem within an age group drops almost linearly with age (see Figure 2). For the age groups 30 to 50, more than half of the respondents reported one or more justiciable problems, with a peak in the 30 to 39 group, where as much as 57% of the respondents report experiencing a problem in the past three years. For the oldest group this number is 17%. This result might reflect the changes of circumstances and exposure to problems as people move through different stages of their life.

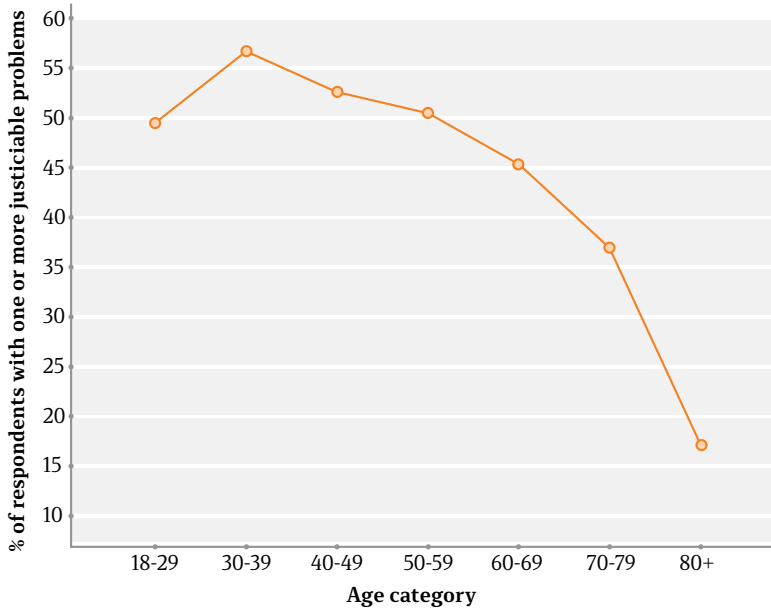


Figure 2: Incidence of justiciable problems depending on age

However, whether decreasing reporting rates of problems among older respondents actually reflects a decline in the prevalence of problems is questionable. Pleasence et al. (2006) suggest that people find problems easier to deal with as they become more familiar with them and as their sensitivities and priorities change over time. It has also been suggested possible that the specific types of problems screened for in the first part of the interview do not necessarily reflect some types of problems elderly people face, such as abuse, substitute decision making, wills and grandparenting (Ellison et al., 2004).

Table 8: Logistic regression: Demographic predictors of reporting one or more justifiable problems

Predictor variables	B	S.E.	OR
Constant	-.62	.21	.54
Sex (male)	.22	.09	1.25*
Age (18-29 years)			
30-39 years	.29	.14	1.33*
40-49 years	.18	.13	1.20
50-59 years	.10	.13	1.11
60-69 years	.11	.15	1.11
70-79 years	-.16	.21	.85
80+	-1.26	.41	.28**
Ethnicity (Macedonian)			
Albanian	.06	.13	1.06
Other	.37	.16	1.44*
Education (low)			
Secondary	.09	.12	1.10
Tertiary	.58	.14	1.79***
Labor market (inactive incl. Students and Pensioners)			
Employed	.31	.12	1.36**
Unemployed	.50	.13	1.65***
Residence (urban area)	.30	.10	1.35**
Region (Skopje)			
Vardar	-.18	.18	.84
East	-.10	.17	.90
Southwest	-.30	.15	.74*
Southeast	-.05	.17	.95
Pelagonija	-.05	.15	.95
Polog	-.22	.14	.80
Northeast	-.12	.16	.89
Household income (less than 10 thousand denars)			
10 – 20 thousand den	-.24	.14	.79
20 – 30 thousand den	-.16	.15	.85
30 – 40 thousand den	-.06	.17	.94
40 – 50 thousand den	-.50	.21	.61*
50 – 60 thousand den	-.23	.24	.80
over 60 thousand den	-.17	.23	.84
Living with partner (yes)	-.07	.11	.93

Note: B = standardized coefficient; S.E = standard error; OR = odds ratio
* p <.05, **p<.01, ***p<.001

Educational attainment also influences the probability of having a problem, as people with different educational qualifications experience justiciable problems with different frequency. Generally speaking, the higher the educational attainment of the respondent, the more likely it is that s/he will report a justiciable event. Whether education determines vulnerability or it is rather the result of the ability of the respondent to recognize a problem, remains unclear. However, the relationship is almost perfectly linear²⁴ (see Figure 3): While only one in five (22%) respondents with no formal education report experiencing a justiciable problem, this is true for one in three with a primary education (41%), every other high-school graduate (48%), almost two in three respondents with a university diploma (61%) and almost three out of four respondents (72%) with a post-graduate education. As shown in the regression in Table 8, when everything else is held constant, the respondents with an academic degree were almost twice as likely (OR = 1.8) to report a justiciable problem compared to respondents with primary or no education. Similar results were shown in the UK, New Zealand, the Netherlands and Canada, where respondents with academic qualifications were more likely to report justiciable problems than those without.

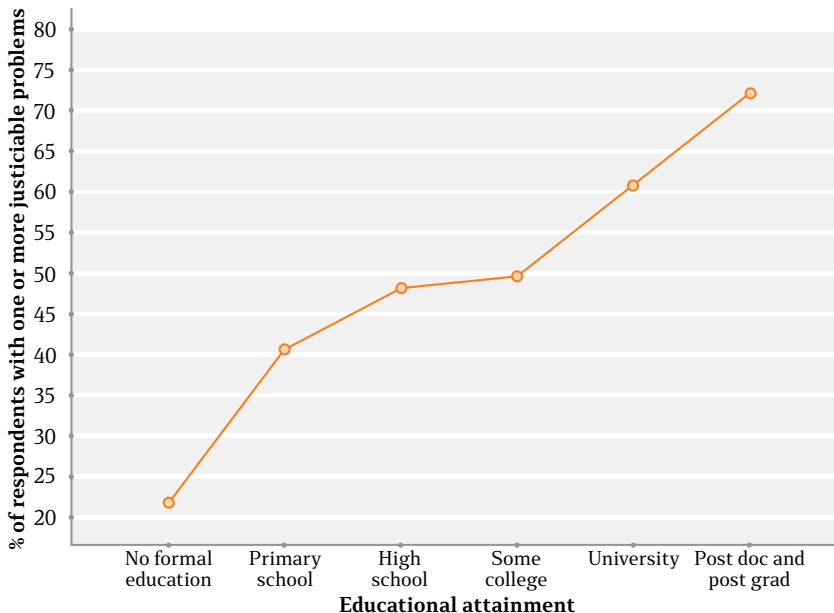


Figure 3: Incidence of Justiciable Problems Depending on Educational Attainment

²⁴ Both the regression and the analysis of variance revealed significant mean differences among respondents with different education ($F(5,28) = 15.14$, $p < .001$; Note that the variances across the groups were slightly different).

The lower rate of reported problems among the least educated respondents could be ascribed to the ability (or rather lack of it) to recognize or describe a problem. As suggested by the Hughes Commission in the UK, “the education and the provision of general information regarding rights and obligations and the means available to effect them is essential to the promotion of just solutions to justiciable problems and essential to their recognition”. Thus, the finding that non-educated Macedonians report less problems than their educated peers might indicate that the less educated need to learn about their rights and the means available to them to exercise those rights. At the very least, this finding should initiate further inspection in the reasons behind the disparity in reporting justiciable problems between the respondents with different educational backgrounds.

The respondents’ status on the labor market also influences the possibility for encountering a justiciable event. The economically inactive are significantly²⁵ less “affected” by justiciable problems, compared to their employed peers and those who actively seek employment (the unemployed). As depicted in Figure 4, 40% of the inactive population (including students and pensioners) encounter a justiciable problem, compared to 56% of both employed and unemployed individuals. As shown in the regression in Table 8, when everything else is equal, employed respondents are 1.36 times more likely and the unemployed 1.65 times more likely to report a justiciable problem compared to the economically inactive.

This is also supported in theory, since it is assumed that employed respondents are more active and have more interactions in society and therefore more opportunities to enter into a justiciable event (Genn, 1999).

25 Both the regression analysis and analysis of variance revealed significant mean differences among respondents with different status on the labor market ($F(2,27) = 33.56, p < .001$).

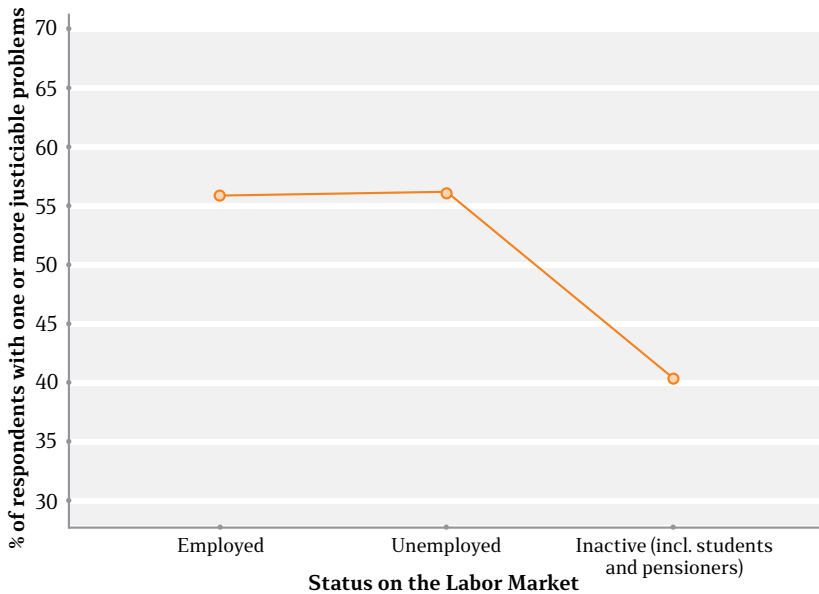


Figure 4: Incidence of justiciable problems depending on labor market status

Gender was also determined as an important factor in the occurrence of justiciable problems²⁶. Female respondents are less affected than male respondents, with 45% of the women reporting problems compared to 53% of the men. As shown in the regression in Table 8, when everything else is held constant, men are 1.25 times more likely to report one or more justiciable problems.

The respondents' place of residence was also an important factor in whether justiciable problems were experienced in the past three years. Respondents living in cities were found to report problems more frequently than respondents living in the villages²⁷. Over half of the respondents in the urban areas reported a justiciable problem (53%) and this was true for 42% of the respondents from the rural areas. As shown in the regression in Table 8, when everything else is held constant, respondents in the cities are 1.35 times more likely to report justiciable problems than respondents from the villages.

Also depicted in Table 8 is the small influence of household income on experiencing justiciable problems. Namely, compared to the low-income households (under 10,000 denars per month per household), respondents from all other income categories report less problems (OR < 1). This is

²⁶ $t = 3.78, p < .000$

²⁷ $t = 5.48, p < .000$

especially true for the 40 to 50 thousand denars per month households, but the differences are small. The small influence of the financial background on the vulnerability to justiciable problems might be due to the factor cancelling itself out for different types of problems. As we will see in the following chapter, while for certain types of problems respondents from higher income families are more likely to encounter justiciable problems, for other types of problems this is true for respondents from the lower income households.

Another factor similar to income that had a small influence in the general vulnerability to justiciable problems, but was found to be more prominent in some of the specific subtypes of problems, is the geographical region of residence. Generally speaking, the regression shows that people from the Skopje region are most likely to be exposed to problems, especially in comparison to respondents from the Southwest.

Factors that have no role in predicting the incidence of serious justiciable problems are the ethnicity and the marital status of the respondents. No differences were found in the overall problem reporting rates between Macedonians and Albanians, while minority respondents from other ethnicities, even though more likely to report a justiciable event, were too small and diverse a group to allow for a meaningful interpretation of this difference. On the other hand, there was no difference whatsoever between married (i.e., cohabitating) respondents and those that lived alone, which is contrary to the findings in the UK, where single people (especially single parents) were most likely to report a problem, especially in comparison to married respondents (Pleasence et al, 2006).

In sum, the distribution of justiciable problems is not randomly scattered across the population and depends on most socio-demographic factors of the respondents. However, the regression model successfully predicted only 8.7% more cases than the base model and was estimated to account for 7% (Nagalkerke R^2) of the variance in the probability of a justiciable event. This means that even though for respondents with different backgrounds the vulnerability to justiciable problems is different, the socio-demographics account for only a small percentage of those differences.

The analysis illuminates important factors that contribute to the vulnerability to justiciable problems, but we understand that these results also depend on and reflect the differences in comprehension and perceptions and attitudes towards what constitutes 'a problem' that is 'difficult to solve.' As pointed out in all other legal needs surveys, it is

unrealistic to believe that such surveys can bypass ‘socially stratified differences in perceptions’ of justiciable problems (Genn, 1999).

HOUSING/PROPERTY PROBLEMS

“In 2001 we put a down payment on an apartment for a building that was supposed to be built in Novo Lisice [neighborhood in Skopje] and we are still waiting today, while a court procedure is going on. The apartment was supposed to be finished within 12 months, but eleven years on, even the foundations have not been laid for the apartment building. There were as much as 189 individuals, including us, who put a down payment for an apartment in this building”.

70-year-old male

The most common problems faced by Macedonian citizens are problems related to housing and/or owned property. According to our study, every fourth Macedonian adult is expected to have some type of housing or property related dispute. People with housing problems are very likely to have tried to solve them and only one in five will have taken no action, mostly because they do not have enough money or time and they do not believe that they would get a fair resolution.

The most common types of housing/property problems are getting incorrect or disputed bills (especially among the low-income families), getting or keeping utilities and getting planning or other types of permits (especially in Skopje).

Housing problems are most common among the older citizens and those that live in Skopje. All possible housing/property problems and their incidences are depicted in Figure 5.

Other than the most common housing problem (getting incorrect or disputed bills), other common problems with housing included keeping or maintaining utilities and obtaining building permits (Figure 5). These three most common problems account for more than half (53%) of all housing problems.

Almost two thirds of the respondents who reported a housing problem reported only one housing problem. However, one in five reported two housing problems and a further 8.5% reported having three housing problems. The rest (5%) reported having more than three housing problems, with two respondents reporting as many as seven housing problems. The average number of housing problems experienced by those respondents

who mentioned having experienced housing or property problem during the survey reference period was 1.54.

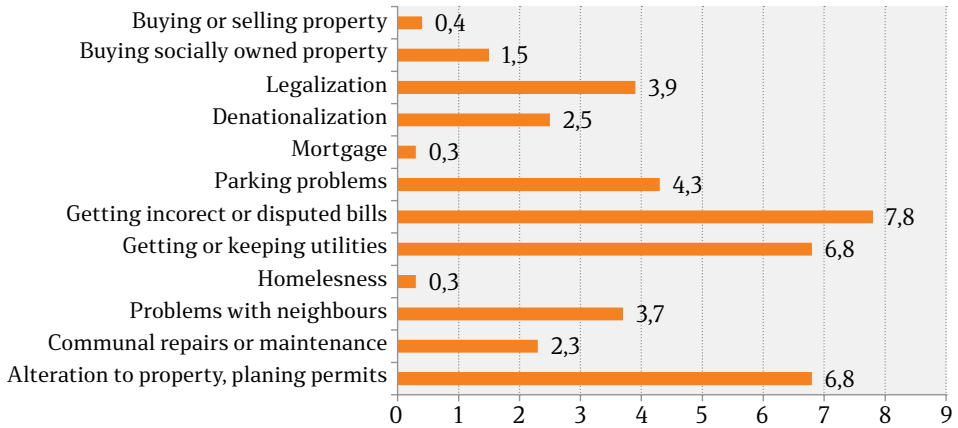


Figure 5: Frequency of Housing Problems Reported (base: 2,858)

The analysis of the socio-demographic characteristics of the respondents who reported having problems with housing and/or property reveals a difference among respondents according to their age²⁸, education²⁹ and place and type of residence³⁰ and no differences based on their gender or labor market. In other words, men and women are equally likely to report housing problems and there is no difference between respondents with different status on the labor market (employed, unemployed, or inactive).

Age was almost linearly connected to the incidence of reported housing problems: the older the respondent, the more likely it is that she or he will report a housing problem (except for the 80+ group, which reports the fewest housing problems, but which also has the smallest sample size). This is to be expected, since property and house ownership is also linked to the age of citizens and cumulates as citizens go through different stages in their life, i.e., grow older. However, the level of incidence of housing problems in all age groups indicates that a significant portion of owners are facing problems that arise from owning property, as at least one fifth of the respondents in all age groups reported some kind of housing problem, ranging from 21% in the 18-29 age group to 30% among the sample aged 60-69.

²⁸ Significant difference, but low practical effect size $f=0.08$

²⁹ Significant difference, but low practical effect size $f=0.08$

³⁰ Significant difference, but low practical effect size $d=0.13$

More educated citizens are also more likely to report housing/property problems. While one in five respondents (22%) with primary education reported housing problems, the number rose to one in four (26%) among those with a secondary education and almost one in three (30%) among respondents with a tertiary education. The place of residence also made a difference in the reporting rates, with respondents living in urban areas more likely to report housing problems. While 28% of those living in towns reported housing problems, this was true for 22.4% among respondents living in rural areas. Notable differences were found between respondents from the Skopje region (reporting problems most frequently, i.e., 29%) and the East region where the reported housing/property problems were least frequent i.e., 20%.

In order to identify possible inter-correlations between the predictors for housing problems, i.e., to deduct a clear model for housing problem indicators, we conducted a multiple binary logistic regression with reported housing problem as an outcome variable and all the socio-demographic variables entered as a predictor. It resulted in a weak model that explains less than 4% of the variance in housing problems. Notably, only age and region of residence stood out as significant factors that predict differences in the reporting rate of housing problems. Respondents from the Eastern and Pelagonia regions are less likely to report housing problems (especially compared to the Skopje region). When it comes to age, the youngest (up to 29 years of age) and especially the oldest (80+) are least likely to report housing problems. In general, the age groups between 40 and 79 are the most concerned group and this is especially true for respondents in their sixties.

The analysis of the different sub-types of housing problems indicates that various factors influences differ across problem sub-types. For example, there is an evident age difference regarding problems with getting planning or alteration permits, as well as problems related to the process of denationalization³¹. Here, respondents aged 40-79 report those problems significantly more frequently.

Educational attainment, on the other hand, accounts for large differences among respondents reporting permit problems, where the more educated (both high school and university graduates) report more problems compared to respondents with a primary education. Additionally, academics report significantly more communal repairs

³¹ Republic of Macedonia after the independence introduced a process of denationalization for reimbursement of unjust nationalization of the private property during socialist Yugoslavia. Within the process, citizen claim back their property or receive financial compensation from the state.

or maintenance problems compared to the least educated, as well as problems with parking. This may indicate a problem with comprehending such problems or having the capacities to go through the administrative procedures for the alteration of owned property.

Ethnic differences exist in several housing problems. For example, a small ethnic difference is identified in reporting problems connected with communal repairs or maintenance of property, where Albanians report more problems than Macedonians. On the other hand, Albanians have less problems or disputes with neighbors, but report more problems with getting or keeping utilities like telephone, water, electricity, heating, and internet.

The place and region of residence also significantly predicts several housing problems. For example, respondents from rural areas report fewer problems and disputes with neighbors and fewer problems related to the denationalization process. Furthermore, looking at the geographical regions, we also identified differences. Small regional differences exist for problems with getting planning or alteration permit, where respondents from the Vardar and Pelagonia regions are less likely to report a problem (compared to the Skopje region). People in the Northeast also tend to report fewer problems with neighbors (compared to Skopje) and respondents from the eastern region of the country, as well as the Vardar region seem to have the fewest problems with denationalization.

Household income also accounts for differences, in that people from households that fare better than the average financially (over 30,000 denars monthly) report more parking problems. On the other hand, people from low-income families (compared to households with income over 50,000 denars) report more problems with getting incorrect or disputed bills, but those differences are very small.

Finally, gender does not seem to contribute to any differences in housing problems, as women and men report all types of housing related problems equally. Only one very small difference was found with problems of getting incorrect or disputed bills, where men are more likely to report problems.

The least reported housing problems are being several mortgage payments in arrears or closure of mortgage or homelessness. Only 6 people reported having those types of problems and the sample was too small to make any statistical analysis and draw conclusions.

Solving housing or/and property problems

Respondents were very likely to have taken action to deal with their housing problems, with four out of five respondents with housing problems having taken specific steps to resolve the problem. The majority of people (51%) faced with housing problems contacted the other side and 15% immediately sought legal advice or went to a lawyer. This last percentage rose to one quarter in the later stages of the action taken to solve the problem, which means that almost every fourth respondent with a housing problem (23.5%) at some point in the process contacted an attorney to try to solve the housing problem. As much as 27.4% of the respondents went to court and 17.8% tried to solve the problem using mediation. Among the 11.5% of the respondents who could not find their initial action in the list of possibilities (i.e., chose “other”), the majority stated that their initial action was to contact the municipality or the police. All types of action taken for solving housing problems, along with the frequency of occurrence, are depicted in Figure 6.

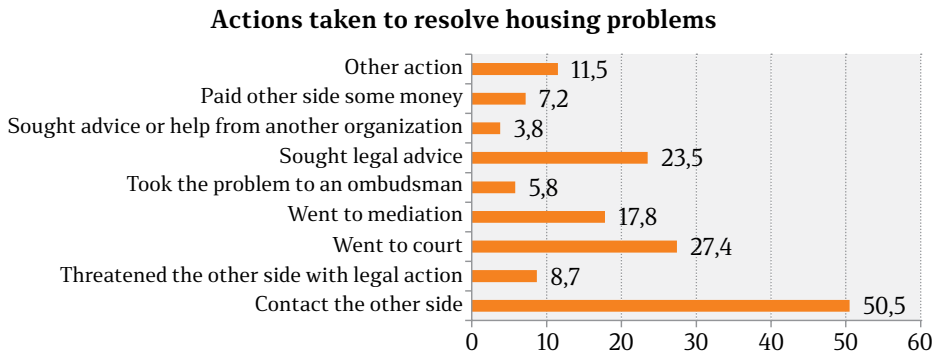


Figure 6: Actions Taken to Resolve Housing/Property Problems (base = 166).

The remaining 20.2% of the respondents facing housing problems stated that they had taken no action to try and resolve the problem. The most common reason for failing to take any action was that the respondent did not think anyone could help with the problem (22.5%) or because they did not have enough money to pursue the matter further (22.5%). This is worrisome, since it may indicate that access to justice in Macedonia is limited for low-income citizens, making them more vulnerable. Additional important reasons for not taking action to resolve housing problems is the perception that the process will require a lot of time (20%) or distrust in the effectiveness of the judicial system (17.5%). A further 17.5% of respondents expected that the problem would be resolved by itself. All the reasons for inaction in solving housing problems with their respective frequencies are depicted in Figure 7.

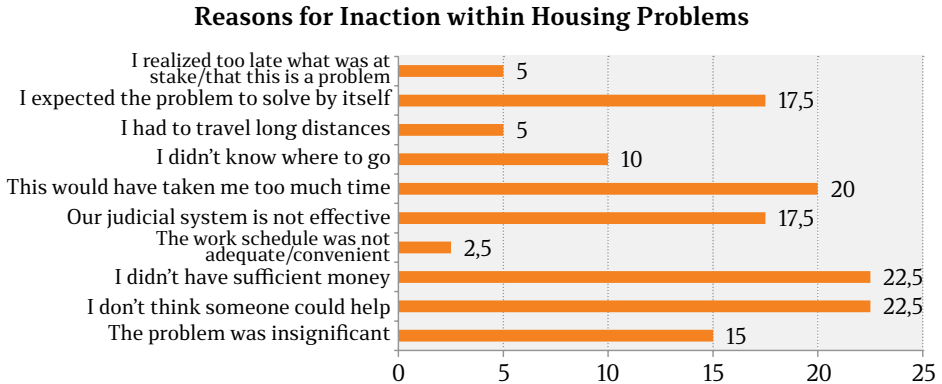


Figure 7: Reasons for Inaction to Solve Housing Problems (base = 42)

CONSUMER PROBLEMS

"I have a contract with [company name], the mobile operator, and they overcharged me for roaming when I went on a trip to Greece. When I got the bill, I realized that there was a huge difference between the promotional prices I saw on their flyers and what I was charged for my roaming usage."

42-year-old female

More than one in six citizens (17.4%) faces problems as a consumer. The majority of these (70% of those with a consumer problem or 12.2% of the total sample) have faced only one problem as a consumer, while the remaining 30% (5.2% of the total sample) faced more than one problem in the last three years. The average number of experienced consumer problems was 1.41. The most common problems were consumer fraud or defective goods or services, including fake warranty, which were reported by every tenth respondent (9.8%). Other common problems were signing contracts without understanding them or getting into a dispute over conditions in consumer contracts and not getting agreed upon and paid goods and services. All consumer problems and their incidences are presented in Figure 8.

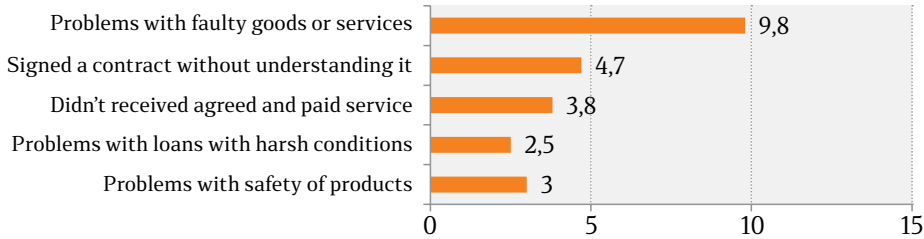


Figure 8: Frequency of Consumer Problems Reported (base: 2858)

Among those reporting consumer problems, there are significant differences in age³², with the age group between 40 and 50 most likely to report consumer problems (23%) and the elderly (above 60) least likely to report them (12% 60-69; 7% 70-79; 2% 80+). There are also gender differences,³³ with men more likely to report consumer problems than women: while one in five men reported consumer problems (20%), the same was true for only 14% of the women. Consumer problems also increase with increased educational attainment³⁴ and this is almost a linear connection, with respondents with primary education least likely to report problems (8%), followed by respondents with secondary education (18%), and respondents with tertiary education (24%). Expectedly, the labor market status³⁵ also impacts the percentage of reported consumer problems. The employed report consumer problems most frequently (one in every fourth employed respondent, 25%), especially compared to the economically inactive, among which only 11% report consumer problems. Additionally, 15% of the unemployed respondents also reported facing a consumer problem. The last demographic characteristic that has an effect is the place of residence,³⁶ with respondents living in the cities reporting more consumer problems (19.4%) than those living in rural areas (12.3%). Interestingly, household income differences do not impact reported consumer problems,³⁷ but the abovementioned differences clearly indicate that those with usually lower decision-making power (the unemployed and the inactive, the women and the uneducated) have less problems, i.e., what matters is who has the money to spend. The regression analysis confirmed these results.

32 Significant difference, but small effect $f=0.14$

33 Significant difference, but no practical effect size $d=0.16$

34 Significant difference, but small effect $f=0.15$

35 Significant difference, $f=0.17$

36 Significant difference, but small effect $d=0.20$

37 The household income group most likely to report problems (insignificant difference) is in the middle of the income range

Defective products and other types of problems with goods and services is the most common consumer problem, as almost 10% of the population has had a problem of this kind in the last three years. For this most frequent consumer problem, only education and place of residence had an effect, i.e., the more educated and those living in urban areas were more likely to report defective products or services. Living in urban areas did not affect any of the other consumer problems, while education only additionally impacted the problems with the safety of the product. Gender seems to have an effect across different types of consumer problems. Notably, men are more likely to sign a contract without understanding it, or were not able to get out of it or got into a serious dispute about what the contract required; they are more likely to spend money to buy something or have some work done and then find they did not get what they paid for or the seller or contractor failed to provide the paid services. The gender difference might reflect the gender gap in economic activity in Macedonia, with men being more frequently in a position to face those problems.

The age groups between 40 and 60 years old are particularly susceptible to problems with a loan that they found out later had really harsh terms for repayment or an extremely high interest rate, as well as problems with the safety of a product, which the seller would not repair, replace, or take back. Other age differences were not identified. Ethnicity only affected the consumer problem related to purchasing an unsafe product, where Albanians are more affected than other ethnicities. The employed (especially in comparison to the unemployed) and perhaps surprisingly the most educated (especially in comparison to the least educated) are more likely to have signed a contract without understanding it, or were not able to get out of it or got into a serious dispute about what the contract required (or perhaps are more likely to recognize faulty consumer agreements).

Respondents were divided in taking action toward resolving consumer problems. While the majority of people (56.6%) have taken action to deal with their consumer problems, 43.4% did nothing. Over 90% of the respondents that took action contacted the other side at some point while trying to solve the problem (see Figure 9), with this being the first action for as much as 84%. Legal advice was sought for 8.4% of consumer problems, coupled with 4.8% of cases where advice was sought from another organization. Less than one in ten respondents went to court to resolve the problem (8.4%) and even fewer went to mediation (1.2%).

Actions Taken to Resolve Consumer Problems

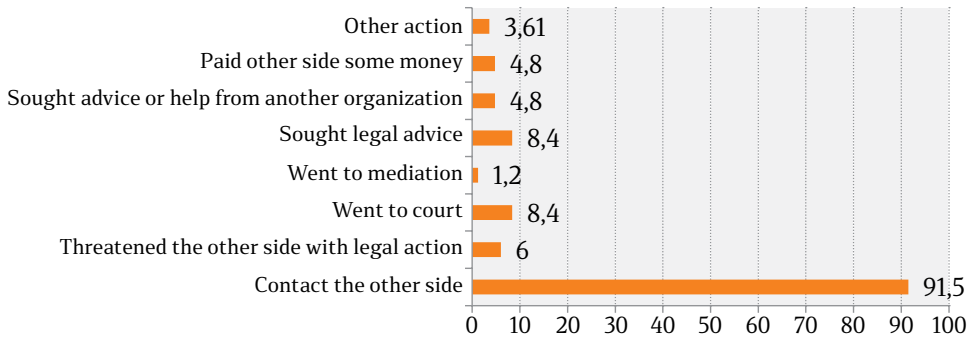


Figure 9: Action Taken to Resolve Consumer Problems (base = 83).

As stated above, in 43.4% of the consumer problem cases respondents stated that they had taken no action at all to try and resolve the problem. The most common reason given for failing to take action was that the respondent did not think anyone could help with the problem (62.9% of those failing to take action and 27% of all consumer problems) or that it would take too much time (37.1%). The details of the most common reasons behind inaction in dealing with consumer problems are provided in Figure 10 below.

Reasons for Inaction

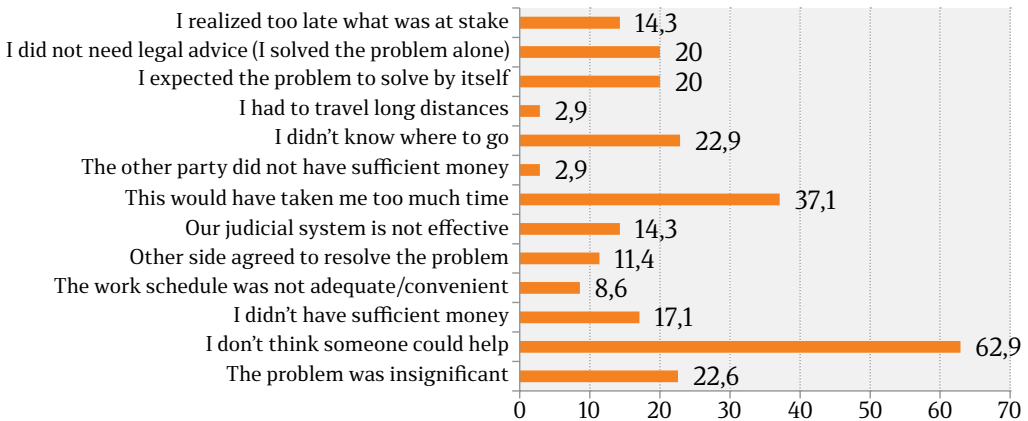


Figure 10: Reasons for Inaction to Resolve Consumer Problems (base = 36).

MONEY PROBLEMS

I had a problem as a guarantor for a close friend of mine, but she had no money to pay off the loan, so I had to do it. I have been waiting for some time now for her to repay the money.

41-year-old female

The third most common problem people in Macedonia face are money related problems, which affect 15.8% of the population. This percentage is significantly lower than the official poverty rate among citizens in Macedonia, so this might be revealing of the limitation in our survey, i.e., that it was administered via telephone and citizens without access to phones (both landlines and mobile) were excluded from the survey. However, it may be that those living in poverty are not willing to disclose their financial circumstances. Therefore, further research is needed to explore this issue and the problems faced by this group.

Among the money related problems, the most frequent problem is repayment of money owed to them by others or collecting a debt, which was experienced by 8.3% of the population in the last three years. The second most common money related problem is paying a loan, bill or debt, which affects 4.1% of the population. All money related problems are presented in Figure 11.

Unfortunately, half of the respondents who have problems paying bills face those problems often or even continuously. Among those respondents who mentioned having problems with money, the average number of experienced money related problems was 1.4.

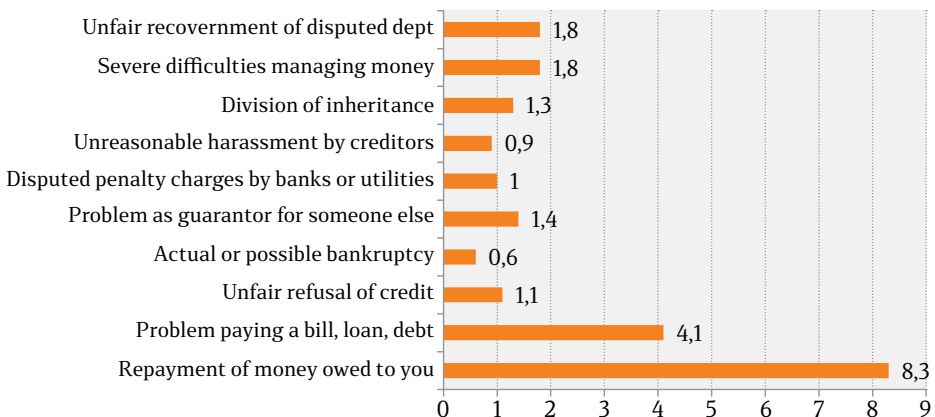


Figure 11: Frequency of Money Problems Reported (base: 2,858)

If we look at the people who are more susceptible to money related problems, we note that almost all socio-demographic characteristics play

a role and affect the likelihood of experiencing this type of problem. Firstly, there is a significant difference based on the age of the respondents.³⁸ Almost one fifth of those aged 30 to 59 are facing money related problems, compared to 11% of the youth (18-29) and 7% among the elderly (70+). Gender³⁹ also plays a role, as men are more likely to experience money problems (18%) compared to women (13.5%). If we consider labor market status, the unemployed are most likely to face this type of problem (20%), followed by the employed (18.5%). The economically inactive population has fewest money related problems, with only one in ten (11%) reporting to have experienced them.⁴⁰

Ethnicity also contributed to significant differences,⁴¹ with Macedonians more likely to report having money problems (16.6% of the Macedonians compared to 12.6% of Albanian population). Similarly, the place of residence⁴² also predicts vulnerability to money related problems, with those living in urban areas more likely to have those problems compared to people living in rural areas (17% and 13%, respectively). The statistical regression also confirms those findings.

If we analyze the different types of money-related problems, we can see how they differ in their effects over different parts of the population. For example, the most common money related problem, the problem with collecting money owed to them, is more likely to happen to those aged 30-59, men (10% compared to 6% among female), Macedonians and the more educated (secondary or tertiary education). Age accounted for significant differences. The group aged 70-79 were least likely to have problems of this kind (only 2.7%), while the age group 30 to 39 the most likely to have them (11%). Generally speaking, the oldest (above 60) and youngest (up to 30) are less likely to have problems getting their money back compared to those aged 30 to 59. We also noted small ethnic differences, with Macedonians more likely to report this problem than Albanians (9% compared to 5%). Furthermore, respondents with a primary education report this problem significantly less frequently (4%) compared to high school and university graduates (9% and 10% respectively). Except for this most common money-related problem, gender and ethnicity do not impact the likelihood of facing other money problems. In other words, women and men, Macedonians and Albanians, are all equally susceptible to the other money problems.

38 Significant difference, small effect $f=0.14$

39 Significant sex difference, but no practical effect $d=0.20$

40 Small effect $f=0.11$

41 But, no practical effect $d=0.11$

42 Significant difference, but no practical effect $d=0.11$

Age and education, on the other hand, did contribute to differences in the responses. For example, and very similarly to the previous sub-problem, the oldest and youngest respondents have the least problems with paying bills, loans or debt (0.0% to 2.7%), while respondents aged 30 to 59 report are more likely to have these problems (4.4 to 5.6%). On the other hand, except for the 40-49 age group, all other age groups are unaffected by the problem of unfair refusal of a loan or unfair credit reference rating. No differences were identified for problems with actual or possible bankruptcy, disputed penalty charges by banks or utilities, unreasonable harassment by creditors and dispute over inheritance.

In three out of four money related problems reported, respondents said that they had taken some type of action to try and resolve the problem. Most often this involves writing or talking to the other side (53.6%) in an attempt to resolve the issue. Legal advice was sought for one in three experienced money problems and the matter was taken to court slightly less frequently (27.9%). All actions taken to resolve money related problems are presented in Figure 12.

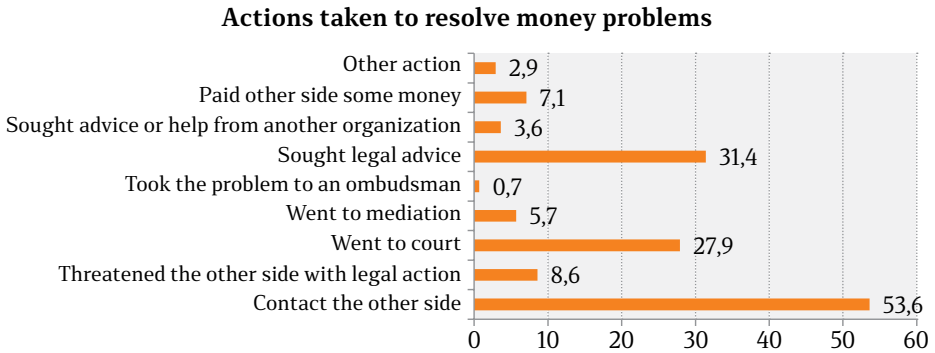


Figure 12: Action Taken to Resolve Money Problems (base = 105).

A quarter of the people experiencing a money problem did nothing to try to solve the issue. Most of them (61.8%) were passive because they were discouraged and did not believe someone could help them sort out the problem. One fifth (20,6%) did not have enough money to take any action, while 14.7% reported thinking that the problem will resolve itself. One in ten respondents believed the problem is insignificant and therefore did nothing to solve it. The remaining 8.8% did nothing because the other side agreed to resolve the issue, removing any need for the respondents to take action. All reasons for inaction are depicted in Figure 13.

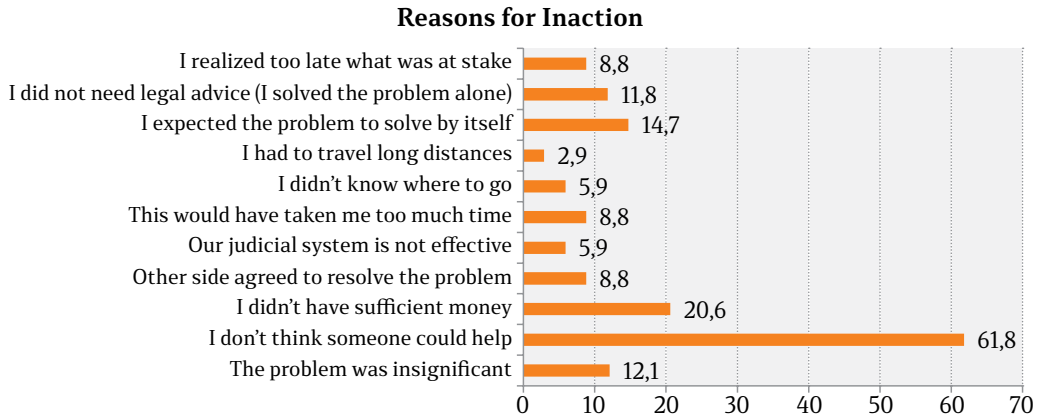


Figure 13: Reasons for Inaction in Money Related Problems (base = 35).

EMPLOYMENT PROBLEMS

I have been going to work every single day for 15 months now without getting a paycheck.

56-year-old male

About a fifth or 19.9% of the respondents who are active on the labor market (43.9% of the total sample) had at least one employment related problem. One in ten of those citizens have problems getting paid or getting overtime pay, vacation pay, or redundancy pay. What is worse, half of those citizens reported that they face this problem continuously. All employment related problems and their incidences are presented in Figure 14.

On average, people experience 1.8 employment related problems, but what is worrisome is that for those who experience employment problems, it is very likely that half of them will frequently or continuously face them, unlike any other problem category. This could be taken to indicate that workers' rights are very vulnerable in the Macedonian labor market. Further indication of this is reflected in the fact that almost one in five of the unemployed respondents, or 18.3%, believe they were discriminated against in their job search.

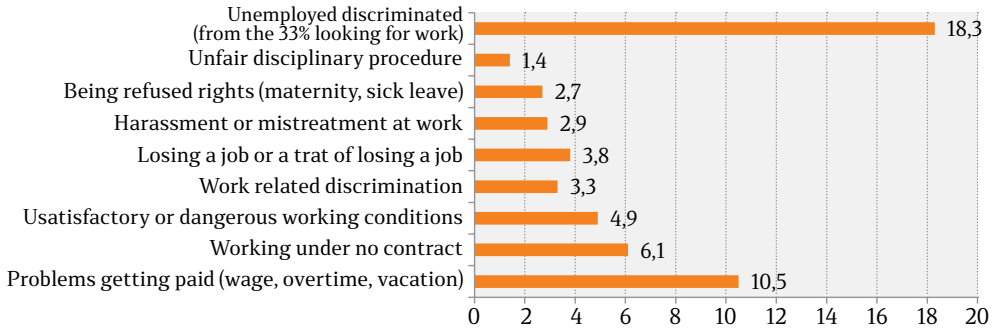


Figure 14: Frequency of Employment Problems Reported (base: 1,253)

Within this problem category, we distinguished between two main sub-categories of problems: the first encompasses problems faced by the employed and related to their rights and conditions at work, whereas the second category covers problems faced by the unemployed in their struggle to find a job. These two types of sub-categories are analyzed independently in the text below.

Regarding the employment problems faced by the employed, there are a few socio-demographic indicators that correlate with the increased incidence of the problems. Firstly, there is a difference on the grounds of ethnicity⁴³, with Macedonians being more likely to report employment problems (21.2% compared to 13.1% among ethnic Albanians). The regression analysis confirms this result and additionally shows that when all things are held constant, respondents from the Vardar and Northeast regions are more likely to have employment problems (especially compared to the Skopje region). The analysis also showed that employed respondents from the lowest income families are also more likely to have more employment problems than those in the higher income families (over 40,000 denars per month per household). Other than these three differences, the demographic characteristics in general account for very little variance in employment problems.

Regarding the problems faced by the unemployed in their search for employment, only age⁴⁴ and education⁴⁵ account for differences. The regression analysis confirms these results, with age contributing to significant differences, but with a small practical effect size. The youngest (and the oldest, where only 16 respondents were still working) are significantly more likely to report discrimination in comparison to the

⁴³ Significant difference with small effect $d=0.20$

⁴⁴ Significant difference, but small effect size $d=0.11$

⁴⁵ Significant difference with small to medium effect $f=0.17$

30-39 group. The 18 to 29 age group is most likely to report discrimination while searching for employment (23%), followed by the oldest (60-69) with 19%, then 40-49 with 18%, 50-59 with 16% and 30-39 with only 12%.

As stated above, education also plays a role in the difference in the reporting rates of problems encountered in the search for employment. The most discriminated (or the group that reported the majority of problems) are those with a tertiary education (almost one third, or 30%), compared to 18% among those with a secondary education, and 10% of those with a primary education. One reason for these results could be the fact that the more educated are more sensitive to recognizing discrimination.

We also found differences when we looked at specific employment problems. For example, employed Albanians are significantly less likely to experience problems getting paid (wage, leave, overtime) than employed Macedonians. Additionally, the employed in the Southeast and Polog region also have less trouble getting paid, compared to the Skopje region (although the number of employed respondents in the other regions is on average four times smaller than those in the Skopje region) and, the less educated are most likely to report problems getting paid.

When it comes to working under no contract (no employment and social insurance), the younger age groups face significantly more problems of this type than the older generations (over 40), which is especially true for the youngest group (18-29). Among the youth, more than one in five (22%) report working without a contract, whereas this is true for little over one in ten for those aged 30 to 50 and less than 5% for those aged over 50. The employed respondents from the highest income households (over 60,000 denars per month per household) are least likely to face problems of this type, especially when compared to those in the lowest income families (under 10,000 per month per household). Finally, the least educated are also most likely to work under no contract and without insurance.

On the other hand, the older respondents are more susceptible to facing work-related discrimination, such as when it comes to being overlooked for promotions. The age differences for this problem are mostly felt by the older employees, especially the 60+ group, because the older the respondents, the more likely they were to report work-related discrimination in promotions and employment (however, this was a very small difference).

There were no differences in reported problems with working conditions across the demographic characteristics.

On the other hand, class differences mattered a great deal when it came to job insecurity: losing a job or being threatened with losing a job was most likely to happen to people from low-income families. Age differences contributed to differences in reporting harassment, bullying or mistreatment at work, where the older the respondents, the more likely they were to report this problem. This is especially true for the 40 to 60 years of age group compared to the youth. Age also affected the vulnerability of workers' rights, although the differences were smaller. Younger respondents were more likely to be denied their workers' rights, but here it was gender that made the biggest difference. Not surprisingly (since women are both directly and indirectly discriminated on the Macedonian labor market⁴⁶), women are more likely to report having been denied their workers' rights, such as maternity leave, paid holidays and sick leave.

Considering that only 13 respondents reported facing unfair disciplinary action at work, we are unable to identify significant differences. On the other hand, when we analyze problems faced by the unemployed in their employment search, two features stand out. Firstly, we identified an age difference that is just below the significance threshold, where the youngest (up to 30) report discrimination the most and the group in their 30s the least. Furthermore, the respondents with a tertiary education report more problems in their job search.

Respondents are divided in their approaches to solving employment related problems. While 57% took some action to try to resolve the problem, as much as 43% did nothing. All respondents who reported having employment problems contacted the other side at some point, with half of them (45.7%) doing this as a first response. Every fifth respondent with an employment related problem went to court (21.5%) and sought legal advice (20.7%), and a further 6.7% sought advice or help from another organization, mostly their union. Respondents threatened employers with legal action in 8.9% of the cases. All actions taken to resolve employment problems are presented in Figure 15.

⁴⁶ Please see Reactor's study *Finding the Key to the Glass Door: Demystifying Reasons for Women's Inactivity on the Macedonian Labor Market* (2012).

Actions taken to resolve employment problems

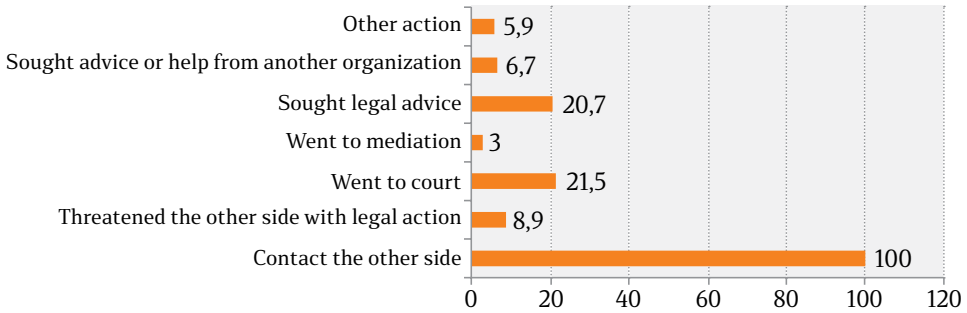


Figure 15: Action Taken to Resolve Employment Problems (base = 77).

The remaining (almost) half of the respondents (43%) with employment problems were reluctant to try to solve their problems. Unfortunately, the vast majority (73.2%) did nothing because they believed that no one could help them with their problem and were discouraged from taking action (see Figure 16). The second most important reason for inactivity were personal constrains. Namely, 12.5% did not have sufficient funds to follow up on the problem, while 12.5% lacked information and stated that they did not know who to turn to with their problem. This shows that workers lack information on available mechanisms for support and for the protection of their rights, as well as that they are distrustful of the mechanisms available to them in these cases.

Reasons for Inaction

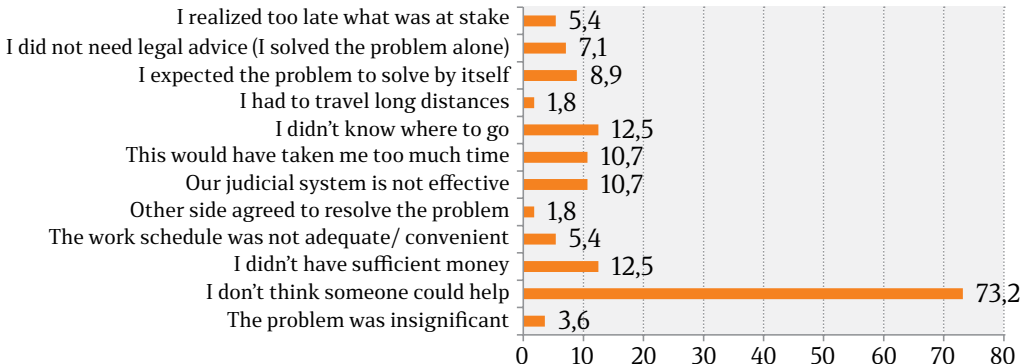


Figure 16: Reasons for Inaction in Employment Related Problems (base = 58).

PROBLEM WITH LIVING IN A RENTED PROPERTY OR RENTING PROPERTY

We were renting an apartment and the owner wanted to evict us, without giving us sufficient time to find a new place. He first turned off our electricity and then asked us to leave because he wanted to rent the apartment to someone else.

35-year-old male

The tenant damaged the apartment and did not pay the bills for the apartment. He removed the hard wood floors and sold pieces of the household.

20-year-old female

According to our study, less than 5% of the population rents property.⁴⁷ Of the 4.6% of respondents who have lived in rented property for at least some time in the last three years, 21.4% reported having experienced problems with their landlords. Most of the problems faced by renters are related to the condition of the property (such as poor or unsafe conditions, getting the landlord to do repairs or being harassed by the landlord). Half of the respondents who reported having problems with poor or unsafe conditions have them continuously. Furthermore, money-related problems, such as continuous non-payment of rent, bill arrays or getting a deposit back were not common problems for tenants. All tenant related problems and their incidences are depicted in Figure 17.

In terms of reoccurrence of the experienced problems, owners on average face 1.4 problems and renters 2.2. There is no demographic group that is (statistically speaking) significantly more likely to have tenant or owner problems, although the ethnic Albanians and the economically inactive are more likely to report problems as renters. A bigger sample size of renters is needed in order to claim with certainty that this is indeed a tendency among this specific group.

⁴⁷ In our study we had 4.6% tenants and 4.7% landlords or 130 and 131 respondents who rented and owned rented property, respectively.

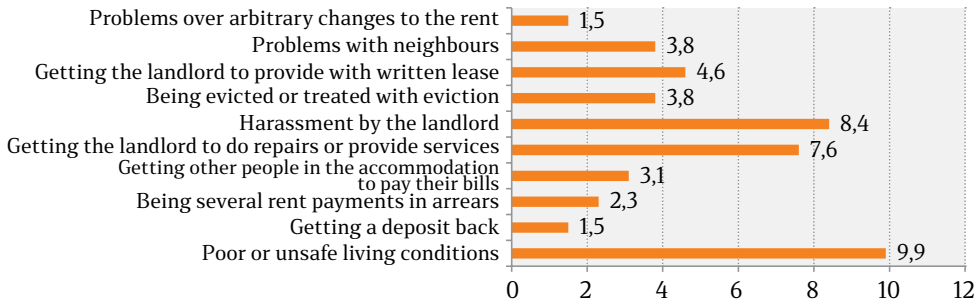


Figure 17: Frequency of Tenants Problems Reported (base: 131)

Because of the small incidence of rented housing problems in general, we only had six respondents who were tenants during the last three years and who reported experiencing a problem. Of these, four are taking or took some type of action to resolve their problem related to living in rented property. Most of them (three of the four) first contacted the landlord in an attempt to solve the problem. One asked for legal advice and paid the landlord some money in order to solve the problem. Tenants were not likely to employ legal mechanisms to solve their problems. No respondent reported taking the problem to court, going to mediation, or threatening the other side with legal action. The respondents that took no action (two out of the six) did so because they did not believe that anyone could help them with the problem. This illustrates that tenants may believe that they are in a disadvantaged position compared to their landlords when it comes to problems related to renting property. Figure 18 illustrates the frequency of actions taken to resolve the problems, but since the base is insignificant in size, generalizations should not be made.

Actions taken to resolve so tenants problems

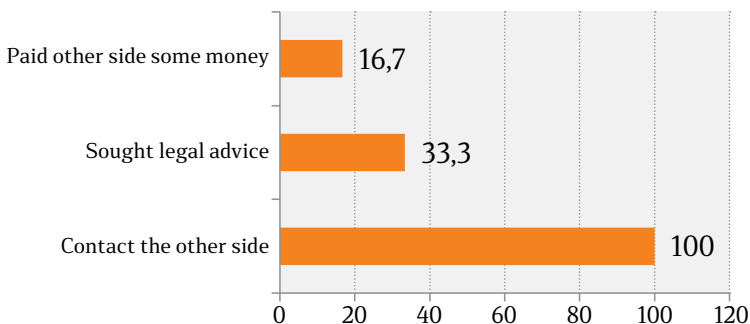


Figure 18: Action Taken to Resolve Tenants Problems (base = 4).

On the other hand, 17.3% of the respondents who have rented their property in the last three years (4.7% of the total sample) claimed they had problems with their tenants. Most of the problems faced by the owners are money-related, such as repeated non-payment of rent (11.3%), bills array (9.8%) or destruction of property. A less common problem faced by only 0.8% of landlords is not being able to evict tenants. No landlord surveyed reported problems with real-estate agencies or tenants subletting their property. All owner problems and their incidences are presented in Figure 19.



Figure 19: Frequency of Landlords Problems Reported (base: 133)

Landlords are more likely to take action to resolve the problems with their tenants, but since we only identified nine problems faced by landlords, generalizations are impossible. Of the nine owners whose problems were analyzed in detail, five took some type of action and, expectedly, their first action was most likely to be trying to contact the tenants to resolve the problem. It seems that landlords take their problems with tenants very seriously, because other than contacting the other side, all other actions taken involve seeking legal advice or taking legal action (going to court). As much as five of the landlords facing tenant related problems sought legal advice and one even went to court to resolve a problem with her/his tenants. Owners of rented property did not use mediation or any other mechanisms other than those reported in the figure below.

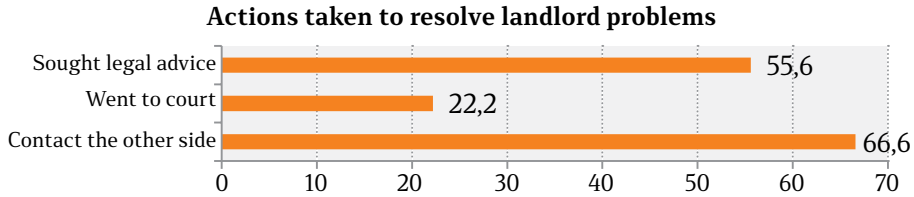


Figure 20: Action Taken to Resolve landlords Problems (base = 5).

Landlords that did nothing to solve their problem gave varying reasons for their inaction. However, the most dominant reasons, reported by three out of the four passive landlords were time constrains. This may be influenced by the assumption that landlords may lose rent while they are sorting out the problem with their tenants, so it is economically more reasonable to ‘forgive’ the problem. However, two of the landlords additionally believe that the judicial system is not effective, or they do not believe that someone can help them with their problem. Figure 21 illustrates the frequency of problems faced by landlords, but since the number of respondents analyzed for this problem is insignificant, generalizations should not be made.

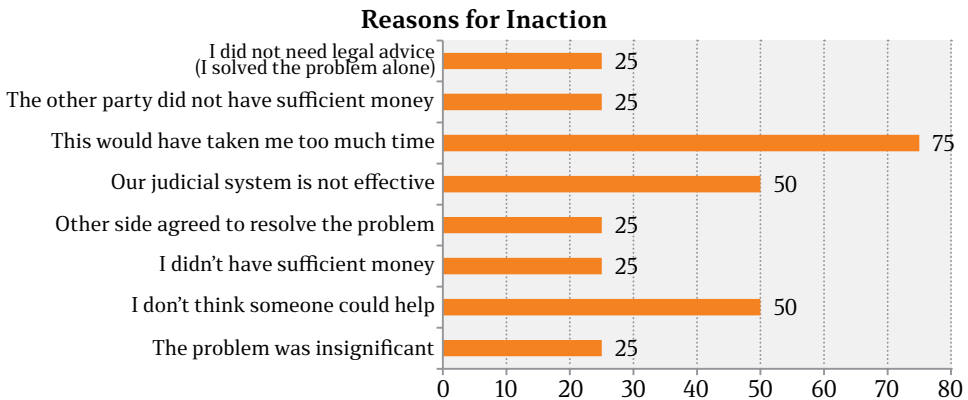


Figure 21: Reasons for Inaction of Landlords (base = 4).

PROBLEMS WITH GOVERNMENT SERVICES AND TRANSFERS

I was injured at work in 1971 and I lost my eye as a result. Today I wear a prosthetic and I am permanently prevented from getting employment. The government is still refusing to approve my disability pension for permanent disability.

62-year-old male

Government related problems are reported by 7.6% of the respondents and include problems with various financial transfers and taxes, but also access to information and services. The most frequent problem was access or entitlement to state aid in agriculture, with 2.9% of respondents reporting such problems, followed by problems related to access or entitlement to welfare financial aid (1.3%). Of those who reported having problems with government aid or services, respondents on average had 1.3 problems. A detailed list of the incidence of reported government related problems is presented in Figure 22 below.

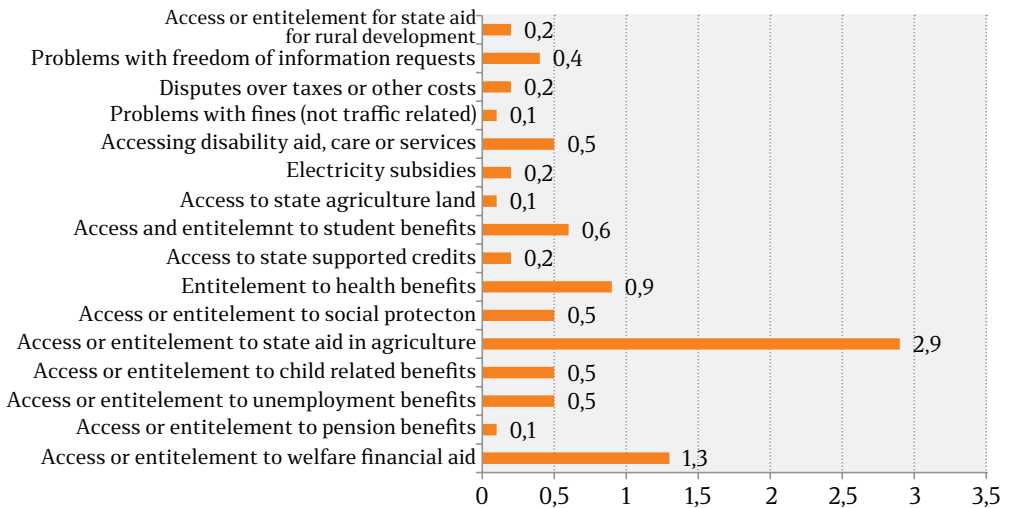


Figure 22: Frequency of Government Problems Reported (base: 2,858)

Respondents who reported government related problems differ based on their gender⁴⁸, educational attainment⁴⁹, labor market status⁵⁰ and place of residence⁵¹. Men are more likely to report government related

48 Significant difference, but no practical effect size $d=0.11$

49 Significant difference with small effect $f=0.13$

50 Significant difference with no practical effect, although very close to practical effect $f=0.09$

51 Significant difference, strong $d=0.25$

problems (2.9%) compared to women (2.4%). Respondents with primary education have the highest occurrence of problems with accessing government aid and services (12.9%) compared to respondents with a high school degree (7.1%). Expectedly, those with higher education have fewer problems (4.5%). Similarly, those who are unemployed have the most problems: every tenth unemployed person reported facing some kind of government related problem (11%), compared to 9% of the economically inactive and 4.8% of the employed. Lastly, the place of residence also had an impact on the likelihood of reporting government related problems. Those living in rural areas are significantly more likely to face problems than those who live in urban areas (12.5% compared to 5.4%).

The most frequent problem related to government services is accessing or entitlement to state aid in agriculture, such as subsidies in agriculture and livestock, organic food production, etc. Men and women reported this problem with equal frequency, as did ethnic Albanians and Macedonians. However, there were notable but small age differences: the group in their forties reported problems obtaining financial aid for agriculture most frequently (4% of this age group), especially in comparison to the youngest respondents (of whom only 1% reported these types of problems). The type and place of residence also predicted reporting, where expectedly, respondents from rural areas report this problem more frequently (5.4%) than respondents from urban areas (1.0%). Respondents from the Vardar and Pelagonia regions were also more likely to report this type of problem (6% and 5% respectively), especially compared to respondents from the Skopje (0.04%) and Polog (0.01%) regions.

Educational attainment was another factor relevant to the reporting of this problem: respondents with only a primary and no education were more than twice as likely to report this problem than respondents with secondary education (5% compared to 2%), while only 0.01% of the respondents with tertiary education reported problems with financial support for agriculture. Finally, this type of problem is most likely to be reported by people from low income families.

The second most frequently reported problem with government services is access or entitlement to welfare financial aid. While there are no gender, age or regional differences, there is a small⁵² difference in reporting depending on the place of residence. Respondents from the rural areas report this problem more frequently (2.3%) than people from urban areas (0.09%). There is also a small⁵³ difference based on ethnicity:

52 Significant difference, but with no practical effect $d=.12$.

53 Significant difference, but with no practical effect $d=.14$

ethnic Albanians (2.5%) are more likely to report problems than ethnic Macedonians (0.08%).

Getting access to social benefits is most frequently reported by the unemployed respondents (4%). Only 1% of the inactive and 0.02% of the employed reported this type of problem. It is worrisome, though expected, that respondents from low income families with low education were again the most likely to report problems obtaining government services. As much as 6% of the respondents from households with income lower than 10 thousand denars per month (less than 200 EUR per household), i.e., those who need it the most, report problems obtaining financial aid from the state.

The third most frequently reported problem is entitlement to pension benefits. Here, expectedly, the older and the economically inactive respondents were more likely to report the problem. However, for the third time we encounter respondents with low education as more likely to encounter problems with government services. No other differences were found.

On the other hand, of the less frequently reported problems, age made a difference for three. Namely, the respondents in their thirties were most likely to report problems accessing child support, i.e., child related benefits (one-off assistance, third child allowance, etc.), the youngest were most likely to report problems with student benefits and/or aid and the oldest were most likely to report problems with financial aid, care or services for people with disabilities. Labor market status was also indicative of the three of the less frequent problems: the unemployed were expectedly most likely to report problems accessing unemployment benefits, but they were also most likely to report problems with electricity subsidies.⁵⁴ The employed, on the other hand, are most likely to report problems with access to state supported loans (home, agriculture, etc.)

Educational attainment was also related to three of the less frequent problems, namely entitlement to health benefits and care (including access to medicine) entitlement to social protection (home care, child allowance, part-time benefits) and access to electricity subsidies. In all three of these problems the respondents with low education were significantly more likely to report the problem.

The type and place of residence made a difference for five of the less frequent problems. Respondents from rural areas report problems with

⁵⁴ Problem that was reported only 5 times and solely by people from the rural areas

accessing child support (one-off assistance, third child allowance, etc.) slightly⁵⁵ more frequently (1.2%) than people from urban areas (0.01% of them), which as also the case with respondents from the Southeast and Polog regions, especially compared to the Vardar and Southwest regions. On the other hand, the Polog region had the most disputes over taxes or other costs charged by the government.⁵⁶ While none of the respondents from the East region reported problems with entitlement to social protection, this is the region where problems with accessing financial aid for rural development were most likely to be reported.

Finally, it was again the respondents from the low-income families that were most likely to report problems accessing social protection, as well as child support. Child support was also more likely to be a problem for Albanian (1.3%) than for Macedonian respondents (0.015%). The other problems were too infrequent for any differences to be considered significant.

When citizens face problems related to government transfers, benefits and services, it is positive at least that they are most likely to do something to try to solve the problem. As much as 72.5% stated that they have done something, most of which included contacting the relevant state institution. One in five sought legal advice and 8% went to court to resolve the issue. All actions and their incidences are shown in Figure 23 below.



Figure 23: Action Taken to Resolve Government Related Problems (base = 50).

On the other hand, it is worth pointing out that every fourth citizen is reluctant to take any measures and when faced with a government related problem, does nothing to resolve it. As many as 27.5% stated that

⁵⁵ Significant difference, but with no practical effect $d=0.15$

⁵⁶ Problem reported only 7 times and solely by males

they have not taken action, with the majority of them (40%) choosing this path because they did not know who to turn to solve their problem.

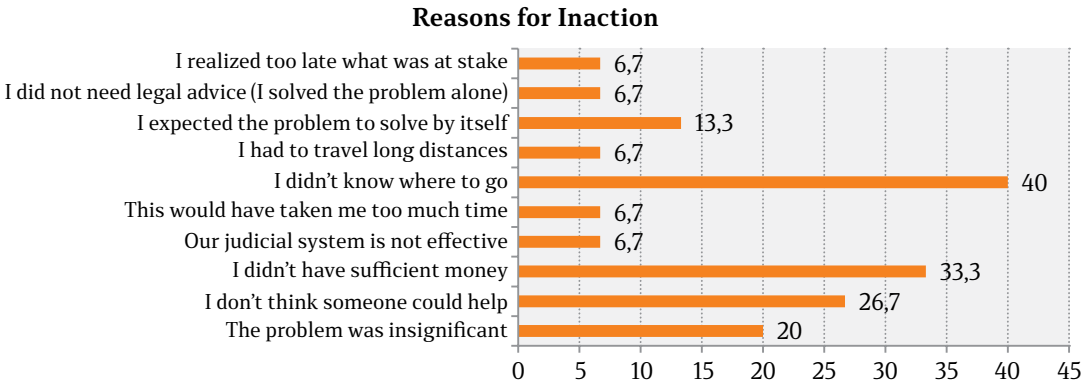


Figure 24: Reasons for Inaction in Government Related Problems (base = 19).

PROBLEMS RELATED TO EDUCATION

While I was studying, I was unfairly treated by the professors. I graduated two years ago as a Dentist and I can tell you for a fact that the students from the provinces were treated and graded worse than the students from Skopje.

31-year-old female

About a fifth or 19.7% of the respondents who were at school sometime during the reported period (14% of the sample) had faced some type of an education related problem. Corruptive practices at school, such as being forced to buy books from professors⁵⁷ is the most common type of problem reported by 14% of the students, followed by unfair treatment by professors reported by 6.8% of the respondents. A problem with tuition, although a less common problem (3.3%), is a money-related problem that is a continuous or frequent problem for those affected. More severe problems, such as harassment at school or unfair exclusion or suspension from an educational institution are the least frequent problems (only 1.0% reported them). On average, respondents with education related problems have 1.4 problems.

⁵⁷ This is a recurring problem students' face at university and has been identified in the past by student and youth organizations. The crux of the problem is that students are forced to buy the book directly, only, and in cash from the professor, who takes a note of who has bought the book and then discriminates come the end of the term against those who did not buy the book. Half of the respondents that reported this problem stated that they face such problems frequently or continuously.

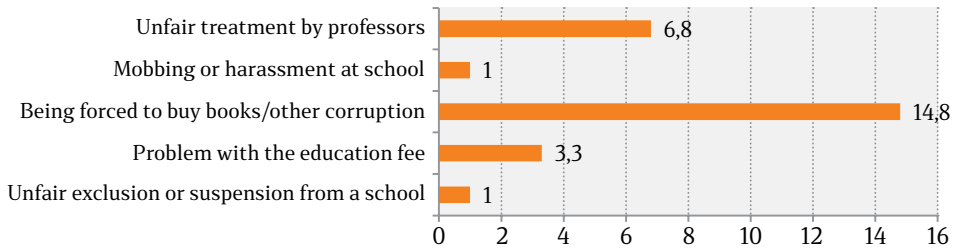


Figure 25: Frequency of Education Problems Reported (base = 399)

Within the respondents with education related problems, we found differences based on age and labor market status.⁵⁸ Since almost all the respondents who reported having education related problems were expectedly in the youth age category, so we did not do an age comparison for this problem.⁵⁹ In terms of labor market status, the unemployed had the most problems (28%) compared to the inactive (17%) and the employed (15%).⁶⁰ Surprisingly, the inactive (which include the students and were the biggest sample) were not the most affected, which may indicate that they merely fail to recognize these problems.

If we take a look into the specific education related problems, we can conclude that there were no differences according to gender, ethnicity, educational attainment, labor market status or household income when it comes to experiencing unfair exclusion or suspension from a school or educational institution. Regional differences⁶¹ were also not found, although only respondents from the Polog and Skopje regions reported experiencing such a problem. On the other hand, when it comes to problems with tuition, respondents from low-income families are expectedly significantly more likely to report such problems⁶². While students from high-income households (over 50 thousand denars) did not report tuition problems, as much as 8% of students from low-income families

58 Significant difference, but small effect size $f=0.13$

59 Please also note that for the difference among respondents with different educational background because there were only three respondents with low (primary) education, t-tests instead of ANOVAs were performed in order to analyze for differences between respondents with secondary education and tertiary education. Note for the place of residence differences for all education problems the sample sizes are unequal (86 rural vs 308 urban).

60 Note labor market differences: 135 employed; 76 unemployed and 184 inactive.

61 Note to region differences about education problems: small sample sizes ranging from 18 in east region to 168 in Skopje region so generalizations are not allowed. Note for the place of residence differences for all education problems the sample sizes are unequal (86 rural vs 308 urban).

62 Note to household income differences: sample sizes are small ranging from 17 (for the lowest income group) to 93 for the 20 to 30 thousand denars per month families

(below 20 thousand denars) were faced with this problem. Additionally, there are differences between the ethnic groups, with Albanians having significantly more tuition problems than Macedonians (8% and 1.5% respectively). Lastly, there are differences based on labor market status, with 1.5% of the employed experiencing this issue, compared to 6.5% of the unemployed. The inactive (2%) are somewhere in the middle, with no significant differences to the other two groups. There were no gender, region or place of residence differences for this problem.

When it comes to being forced to buy books or any other form of corruption within the educational institutions, we only noted differences based on labor market status,⁶³ where 12% of the employed reported corruption, compared to 14% of the inactive and 21% of the unemployed respondents. On the other hand, there were no clear income differences.

Albanians were more likely to report mobbing and harassment at school (3% compared to 0.4% of Macedonians)⁶⁴ and none of the high school graduates reported this problem compared to 2% of the university graduates. Furthermore, this problem was only reported by the unemployed (5%, or 4 of 76, compared to no reports from the other two groups) and in terms of geographical region, only in the Polog region (7%).

When it comes to unfair treatment by professors, we noted several differences. Firstly, there are income differences with students from low-income families more likely to report unfair treatment. We also found educational differences where university graduates are more likely to report unfair treatment (9%) compared to high school graduates (4%). Similarly to other specific educational problems, the unemployed stand out, as they are significantly more likely to report this problem (13%) than the employed and the inactive (both at 5%).

Respondents were reluctant to take any action to resolve education-related problems. This is the category where respondents are the most passive and decide not to do anything about the problem, but this is a small sample, so generalizations cannot be made. Nevertheless, only 1 of 15 students took or is taking some action by contacting the other side in an attempt to solve the problem. This respondent also sought legal advice and threatened the other side with legal action, but did not go to court to resolve the issue. Taking into consideration that most of the education related problems are complex, such as corruption, harassment

63 Not significant because of sample size but, almost medium practical effect size $f=0.21$

64 Small difference on border with practical effect

and unfair treatment, it is likely that these problems are underreported and expectedly, respondents are discouraged from taking legal actions.⁶⁵

On the other hand, 14 of the 15 respondents whose experience with educational problems was analyzed in detail⁶⁶, decided not to do anything about the problem. The reasons behind these high rates of passivity vary, but 11 out of 14 students did not do anything because they considered the problem insignificant. What is of more concern is the fact that 10 of 14 respondents did not think that anyone could help. Additionally, 4 out of 14 students lacked sufficient knowledge and reported that they did not know where to go for help. Even though the sample size is small, this illustrates potential marginalization of the youth and should be a great cause for concern. All chosen reasons for inaction among the 14 respondents with education problems are presented in Figure 26.

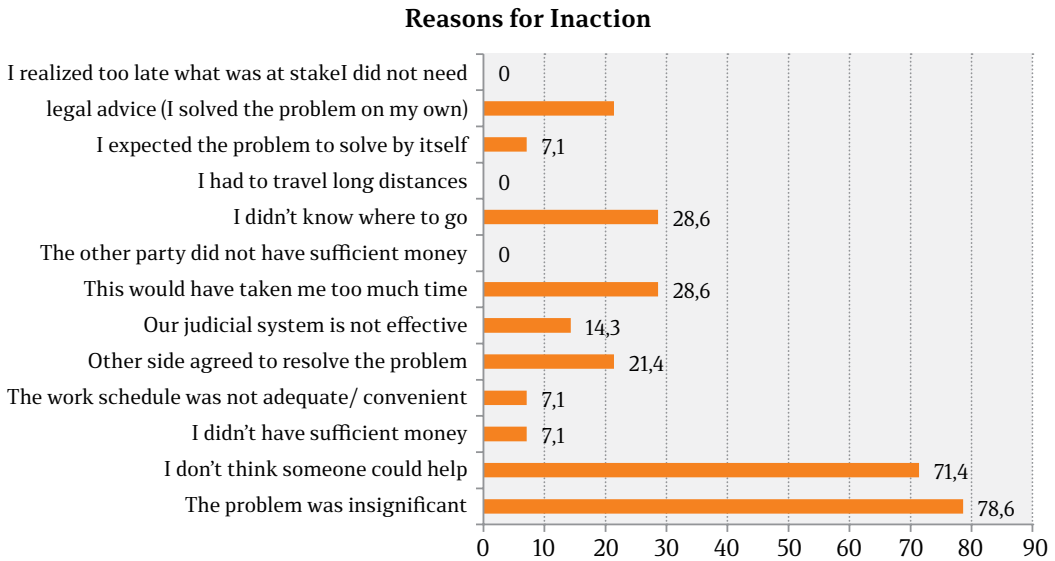


Figure 26: Reasons for Inaction within Education related problems (base problems = 14).

⁶⁵ We did not include a figure about actions taken to solve the problems, since only 1 respondent took active measures in solving the problem.

⁶⁶ Because the incidence of education problems is very low in the general population

PROBLEMS WITH PARTNERS

My partner (we were not married) is an alcoholic. I was constantly abused by him, so I decided to leave him. My children and I live with at my mother's place now.

34-year-old female

In our survey, 70% of the respondents reported living with a partner for at least some time during the last 3 years. Of these, only 1.1% reported having some kind of serious problem with their partner and those who did, on average reported having only one problem. The most frequent problem was divorce or separation, followed by violent or abusive relationships with a partner. None of the respondents reported having difficulties getting or paying alimony for/from the partner (not including alimony for children). This may be understandable, because although it is legally guaranteed, in reality in Macedonia practically no one seeks alimony from their former partners if it is not for their children.

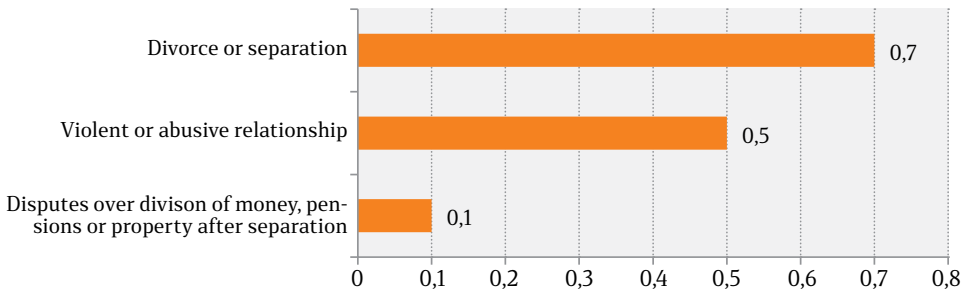


Figure 27: Frequency of Partner Problems Reported (base = 1,994)

If we analyze problems with partners in general, we identify differences due to labor market status,⁶⁷ with the unemployed more likely to report having a problem with their partner (2.1%) compared to the employed (1.2%) and the inactive (0.3%). Additionally, there are differences according to the place of residence,⁶⁸ with respondents who live in urban areas more likely to report these problems compared to those who live in rural areas (1.4% to 0.6%).

If we look at specific problems related to partners, no socio-demographic differences can be identified for most of the problems. Namely, there are no differences when it comes to violent or abusive relationships, disputes over division of money and property after divorce or problems related to getting or paying alimony. This is not unexpected, since partnership problems were rarely reported.

⁶⁷ Significant difference, but no practical effect size $f=0.07$

⁶⁸ Significant difference, but again no practical effect size $d=0.09$

The only specific problem that affects respondents differently is divorce or separation. Namely, the youngest group (with 2%) has the highest rates of divorce or separation, while other age groups have very close (or equal) to zero reporting rates. The second most affected age group is the group in their thirties, which confirms that this is an age dependent problem, with divorce more likely to be reported by younger respondents. While there are no gender or ethnicity differences, educational attainment did account for some differences. None of the respondents with primary education reported divorce or separation compared to 0.04% of university graduates and 1% of the high school graduates. Labor market status also contributed to differences,⁶⁹ where we noted a trend that the unemployed are more likely to report separations and divorces (1.2%) than the employed (0.09%) and especially the inactive (0.01%).

Because of the small incidence of partner problems in general, only 13 respondents were analyzed in detail. The majority (8 out of 13, or 61.5%) of the respondents who had problems with their partner took an active approach to solving the problem and reported having taken some action. Almost all of them (7 out of 8) contacted the partner in trying to solve the issue, but as much half of them (4 out of 8) sought legal advice and for all of them the case with their partners was taken to court.⁷⁰

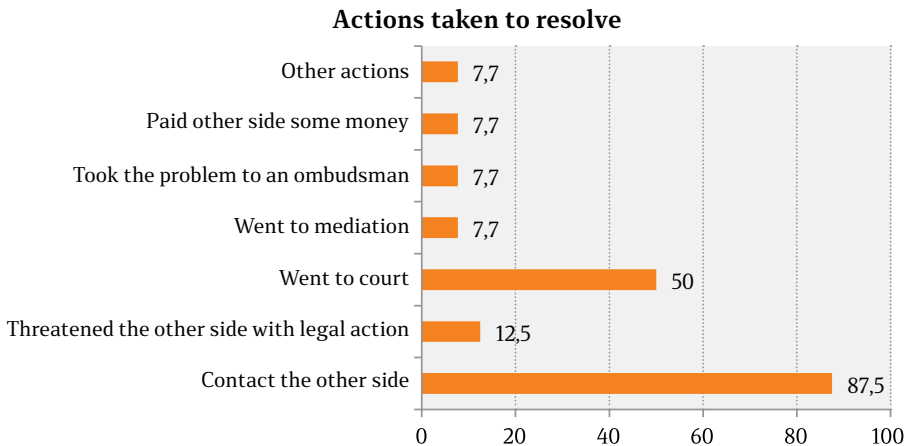


Figure 28: Action Taken to Resolve Problems with Partners (base = 8).

⁶⁹ Close to significance ($p=0.056$), but no practical effect $f=0.05$

⁷⁰ This is expected, since in general, divorce for instance, is handled by courts.

It is worrisome that of the five respondents that did nothing to solve their problem, 4 thought that no one could help, and 3 thought that the Macedonian judicial system is inefficient. In addition, 3 respondents did not have enough money to take action, which may be revealing of the fact that citizens stay in unhealthy relationships because they are economically dependent on their partners. Three of the four expected that the problem will solve itself and two respondents considered the problem insignificant. However, the sample size is very small and thus no generalizations can be made. Considering the small sample size, the frequencies in Figure 29 are for illustrative purposes of the study only.

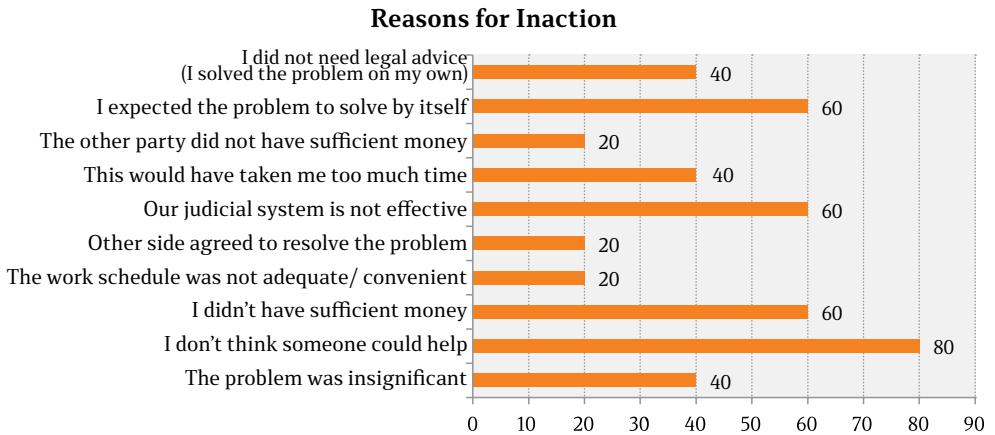


Figure 29: Reasons for Inaction within Partners Related Problems (base = 5).

CHILDREN-RELATED PROBLEMS

My biggest problem is access to kindergarten for my child. He was born with a cleft palate and they refuse to accept him at the kindergarten.

28-year-old female

One third of the respondents (31.4%) had underage children in the last 3 years and of these, only 6% reported having faced some kind of a problem related to their children. None of the respondents reported a problem with a child taken by the authorities. Those that reported problems, on average reported 1.3 problems related to children. Detailed results of the incidence of these problems are given in the Figure 30 below.

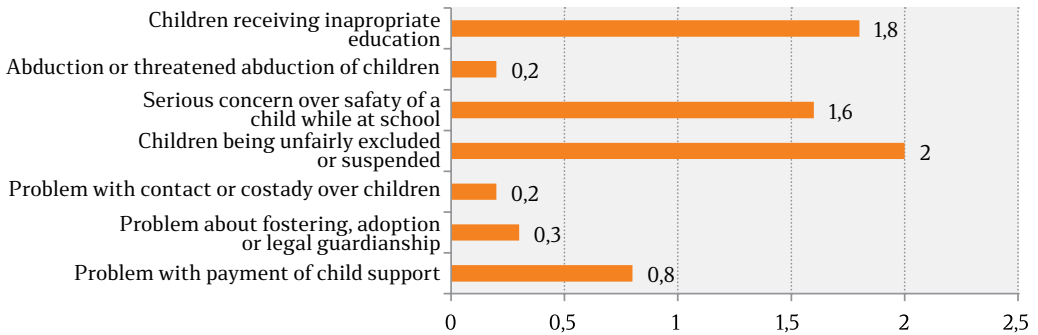


Figure 30: Frequency of Children Related Problems Reported (base = 960)

If we look at specific children-related problems, most of them do not differ across the population. Namely, no differences were found between respondents that had problems with receipt or payment of child support, problems related to fostering, adoption or legal guardianship of children, problems with access or residence (contact, custody, visits), or problems with abduction or threatened abduction of children by the other parent or a family member.

However, differences were found among parents who experienced the problem of their children being unfairly excluded or suspended from school or kindergarten. Here, young parents (18-29) are significantly more likely to face this problem than older parents above the age of 30 (6% compared to 1%). This may indicate that this is a problem more connected to kindergartens than schools. If we take into consideration that the full capacity of the kindergartens in Macedonia covers only 20% of the preschool age group⁷¹, the prevalence of this problem might be even higher, so further research is needed to examine this problem more closely. Differences were also found among parents who had serious concerns over the safety of their children while at school/kindergarten, on school trips, or children being bullied or harassed at school. Parents with a secondary education are least affected (only 0.6% reported having a problem), significantly lower than parents with a primary education (4%). Parents with a tertiary education are in between, with 2% reporting experiencing safety concerns. Lastly, regional disparities were identified when it comes to problems related to access to appropriate education for children with special needs. Here, parents from the Southwest region stand out with 5% reporting this problem, while no reports of this problem were made in the Southeast, Pelagonija and Northeast regions.

⁷¹ State Statistical Office, *Public Institutions for Care and Education of Children – Kindergartens*, 2013, available at: <http://www.stat.gov.mk/Publikacii/2.4.13.04.pdf>

Because of the small incidence of children-related problems in general, only 12 respondents were analyzed in detail about their paths to solving a child-related problem. Parents with problems related to their children were divided in their approaches to solving the problem. Half of them (6 out of 12) did something to try and solve the problem, while the other half did nothing. Of the six parents that took action, three contacted the other side, and one sought legal advice. However, no parent took these problems to court, mediation, or to the ombudsman, or threatened the other side with legal action (as shown in Figure 31 below), which was not unexpected considering the small sample size.

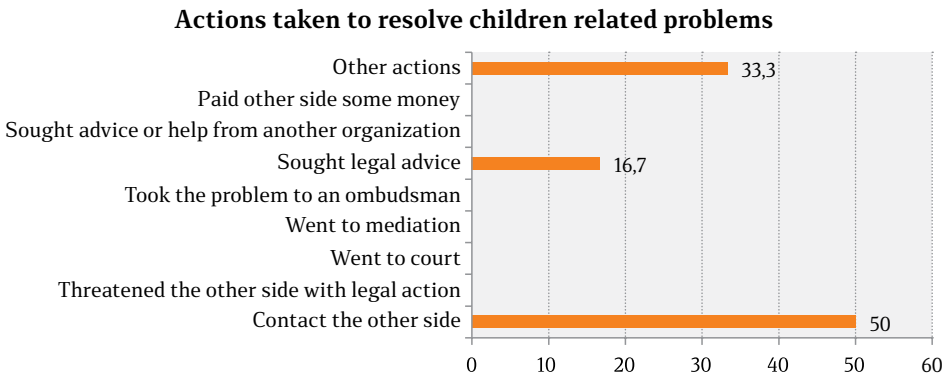


Figure 31: Action Taken to Resolve Children Related Problems (base = 6).

Parents who are doing nothing to solve their children-related problems vary in their reasons for inaction. No parent stated that they did not know where to go or that they believed that the problem is insignificant, so passivity cannot be accounted for lack of knowledge or importance. Two of the six passive parents believe that the judicial system is inefficient and two think that no one can help them, indicating that discouragement among parents is an important factor that contributes to their reluctance to solve children-related problems. The last two took no action because they expect the problem to be sorted out on its own. A detailed account about the reasons behind the parents’ inactivity in dealing with their problems related to their children is depicted in Figure 32 below and should serve only for illustrative purposes of this study and not the population with child problems in general. Again, this is a very small sample for generalizations.

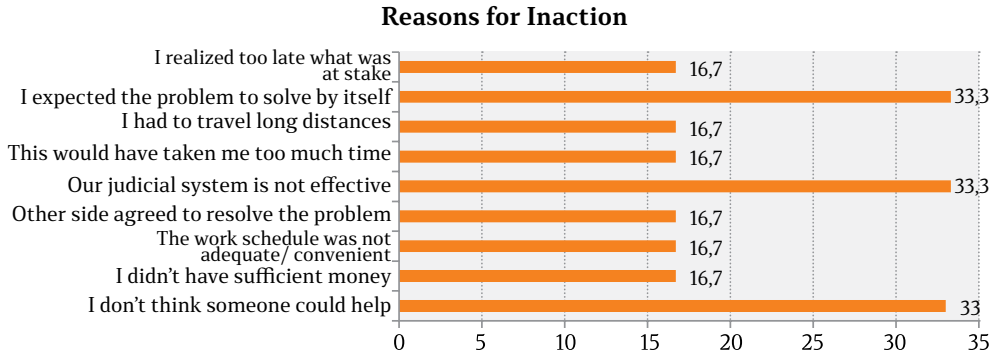


Figure 32: Reasons for Inaction within Partners Related Problems (base = 6).

HEALTH RELATED PROBLEMS

The ambulances are so far away, from the village here we have to travel 50 km both way to get to the nearest health clinic. On top of that the medical care is inadequate.

82-year-old male

Only 6% of respondents reported having a health related problem, with accessing appropriate health care cited as the most frequent health problem, experienced by 2.3% of the population. While the vast majority of respondents reported incidental (once or rare) problems connected to harm done by health professionals or injuries in public spaces or due to traffic accidents, half of the respondents who had problems with a violation of patients right, access to appropriate health care, environmental health problems or health problems at work, reported they happen frequently or continuously. On average people report 1.25 health related problems. All the frequencies of health related problems are depicted in Figure 33.

Among the respondents who have health related problems, there is a difference only in regard to their status on the labor market.⁷² The employed face more health related problems (8.9%) compared to the unemployed, who report 5.4% health problems and the inactive (5%). However, if we look at the specific health problems, the labor market status only had an impact on the reporting rates of the injuries/accidents and health problems at work. Understandably, the employed report more injuries at work (3%) compared to the unemployed (0.1%) and the inactive (0.04%), who were probably employed sometime during the period covered in the research (the last three years). Work related injuries are also reported more

⁷² Significant difference, but no practical effect $f=0.008$

frequently by men (1%), and this gender difference, although statistically significant, it is due to the sample size, with no practical significance. Other specific health problems did not differ across the population, i.e., there were no differences based on age, gender, region, place of residence, household income, or labor market status of the respondents.

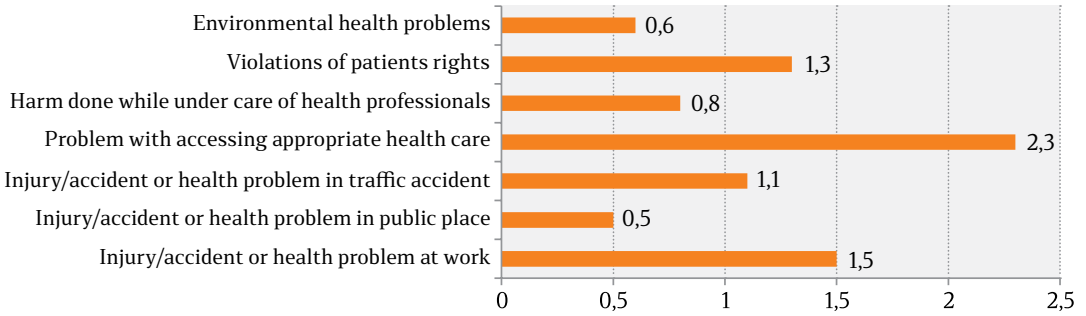


Figure 33: Frequency of Health Related Problems Reported (base =2,858)

Because of the small incidence of health related problems in the population, only 34 respondents with a health related problem could be analyzed in detail. People facing health problems were more likely to not do anything to resolve the problem. Almost two thirds of respondents (21 out of 34) did nothing to resolve the issue, compared to 8 who at least contacted the other side. Of the respondents who took some type of action towards resolving the problem (13), and besides the most common approach of contacting the other side, none of the other actions stood out. Courts were only seen as an instance for solving health related problems by two respondents that took the problem to court, as shown in Figure 34. Of the ‘other actions’ shown in the figure, the most prominent one is contacting the police.

Actions taken to resolve health problems

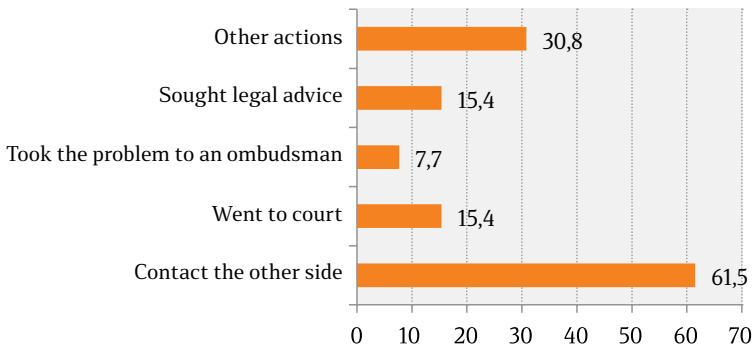


Figure 34: Action Taken to Resolve Health Related Problems (base = 13)

The biggest reasons for not doing anything when it comes to health problems is that people are skeptical and do not believe anyone can help. As much as 13 of 21 who did nothing were passive because of their skepticism. All other reasons are less common and are presented in Figure 35 below.

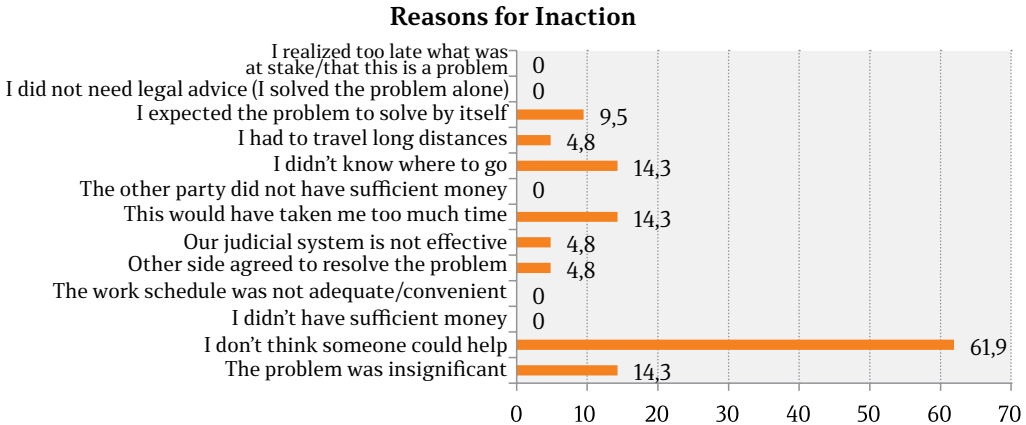


Figure 35: Reasons for Inaction within Health Related Problems (base = 21)

DISCRIMINATION

This July I tried to cross the border with a van, but they turned us back, there were seven of us. They are afraid that we would seek asylum only to get money because we are Roma. They gave us no explanation. The same day on another border we passed with no problem. I travel frequently to Europe and have many visas in my passport but I am always discriminated against and treated unjustly. I am constantly asked to give money to corrupt policeman in order to pass the border.

37-year-old male

Discrimination is a problem experienced by 6.1% of the respondents. They reported various grounds for discrimination, with ethnicity and political party affiliation being identified as the most common grounds for discrimination. No respondent reported discrimination on the grounds of sexual orientation. However, these figures should be taken with caution, since discrimination is generally underreported and this is especially true for the LGBT community due to the wide spread of homophobia

in the country.⁷³ Additionally, the survey indicates that perceived discrimination might be limited to more educated and privileged citizens, who are more likely able to understand and recognize discriminatory practices. Therefore, the survey results must be interpreted with caution. The incidence of reported discrimination by grounds for discrimination is depicted in Figure 36 below.

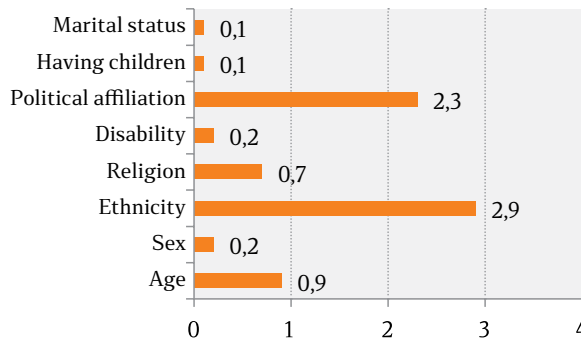


Figure 36: Frequency of Discrimination Problems Reported (base =2,858)

There were differences in reporting discrimination based on the age⁷⁴ of the respondent, her/his educational attainment⁷⁵ and labor market status⁷⁶. Young people (18-29 years) are most likely to face discrimination (9.7%), followed by respondents between 30 and 39 years of age – 6.8%. The elderly (above 60+) are significantly less likely to report being discriminated against (2.1%). Those aged 40-59 are somewhere in between, with around 6% reporting a discrimination related problem. Additionally, discrimination almost linearly follows educational attainment. Those with primary education report the least cases of discrimination (4%), followed by those with secondary (5.4%), while higher education respondents stated that they are discriminated against most often (9.1%). However, the difference based on education might be due to greater awareness among the more educated respondents, rather than reflect actual differences in discriminatory patterns. Lastly, there are significant differences among respondents based on their status on the labor market. The unemployed are most likely to be discriminated against, with one in ten reporting

⁷³ Concern over homophobic environment and violation of LGBT persons rights were raised by almost all international organizations such as EC in its Progress Report for Macedonia, US State Department, Amnesty International, etc.

⁷⁴ Significant difference, with small effect $f=0.10$

⁷⁵ Significant difference, but no practical effect size $f=0.08$. Since discrimination is complex phenomena we suspect that the uneducated is likely that could not understand the question.

⁷⁶ Significant difference, $f=0.12$

this (11.9%), compared to 6.3% among the employed, and significantly less among the inactive (3.6%).

If we look at particular grounds for discrimination, we can see that women seem to be more vulnerable to some types of discrimination, such as discrimination on the basis of their gender (6 out of 7 reported cases were made by women), being a parent (having children), and their marital status, while men seem to be more discriminated against based on their religion and ethnicity⁷⁷. No other gender differences were found.

Political party affiliation is the most common grounds for discrimination and it affects citizens differently, as the youngest, the more educated⁷⁸, and the unemployed seem to be the most affected. There are no differences based on the ethnicity of the respondents, their place of residence, region or income. If we go into details, we will see that the youngest - and the most likely to be unemployed - group, between the ages of 18 to 29 report discrimination based on political affiliation most frequently, with 4%. The age-groups between 20 and 50 years report this problem, but to a lesser extent, with an average of 2.5%. The elderly respondents above 60 years (retired) are the only age groups that do not report this type of discrimination. Educational differences, as stated above, are proportional with academic attainments, so the higher the education the bigger the vulnerability to political discrimination. Academics report discrimination at 4%, compared to respondents with high school and primary education (2% and 1% respectively). Furthermore, the inactive report this type of discrimination the least (0.8%) and the unemployed the most (5%), while the employed are in the middle with 3%.

Discrimination based on ethnicity is the second most common form of discrimination. Albanians report ethnic discrimination more frequently than Macedonians (5% to 1%, respectively). There are also educational differences,⁷⁹ where those with an academic background report more discrimination (4%) than high school graduates (2%) and respondents with a primary education (3%). Additionally, the inactive (2%) and the employed (3%) report ethnic discrimination significantly less than the unemployed (5%).

Age discrimination is most frequently reported by the unemployed (2%), especially compared to the economically inactive (0.05%). The employed are in the middle with 1% and with no differences to both other

77 All statistically significant differences, but too small sample size which lead to no practical effect.

78 Small differences, on boarder of practical effect $f=0.08$

79 Significant, but no practical effect size $d=0.05$

groups. Discrimination based on the gender of the respondents is the most diverse basis for discrimination, with differences based on all socio-demographic characteristics of the respondents. The group in their 30's report significantly more gender based discrimination (1%). Other than this group and those in their 40s, all other age groups did not report gender based discrimination. Furthermore, significant education differences were found,⁸⁰ so academics with 0.04% of the reported discrimination based on gender outnumber those with high school education (0.01%), while there were no reported cases for the respondents with a primary education. Additionally, gender discrimination varies between respondents based on their household income. Respondents from higher income families tend to report this problem significantly more frequently. This raises the question whether this is the result of better recognition and understanding of discrimination by the more educated and privileged citizens rather than a reflection of the patterns of discrimination. Further research is need in this direction.

Disability was the only ground for discrimination that did not have any differences between various respondents.

When it comes to discrimination cases, again, because of the very small reported incidence of discrimination problems, there were only 7 respondents whose problems with discrimination were analyzed in detail. All but one of them were reluctant to take any action to resolve the problem i.e., are doing (can do) nothing about it. The person who took action in solving the discrimination problem,⁸¹ did so by contacting the other side. This may not be surprising, since various human rights organization have been commenting and criticizing the system for protection from discrimination in Macedonia, especially the burden of proof.⁸² That the inactivity on part of the citizens is stimulated by the flawed system for protection from discrimination in Macedonia can be sensed also through the reasons provided for inactivity. For example, half (3 of the 6) of respondents stated that they did not do anything because they believed no one could help them. An additional respondent stated that she believes our judicial system is not effective, followed by another who did not know where to go. The results are presented in Figure 37 below.

80 But no practical effect size $f=0.06$

81 Based on political affiliation, his is the only house in the village that did not get connected to the new utility (sewer).

82 For more details please see OSF-Macedonia's report on the work of the Anti-Discrimination Commission available at: <http://soros.org.mk/dokumenti/Shadow-report-for-shadowed-commission-ANG.pdf>

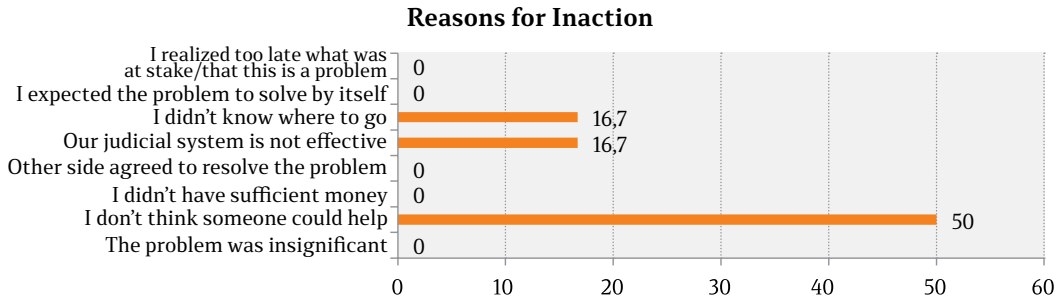


Figure 37: Reasons for Inaction within Health Related Problems (base = 6)

PROBLEMS WITH POLICE AND OTHER PROBLEMS

I was harassed by the special police unit "Alphas" who were trying to locate a criminal who drove the same car as mine. They did an unauthorized search without a warrant and publicly humiliated me.

24-year-old male

A small number of the population (3%) reported problems with police, with the majority having experienced unfair treatment by police, such as harassment, improper search or seizure. This is understandable, since only a small proportion of the population is expected to have direct contact with the police. Furthermore, a few of the respondents reported that they were denied exit at the borders or otherwise had their freedom of movement unfairly restricted, which is cause for concern. A small number of respondents (0.5%) also complain of privacy violations, police failing to investigate a crime and being a victim of crime. Finally, 1.2% of the sample reported being subject to defamation. On average, those that report police related problems (including defamation and privacy violation) experience 1.2 problems of this kind.

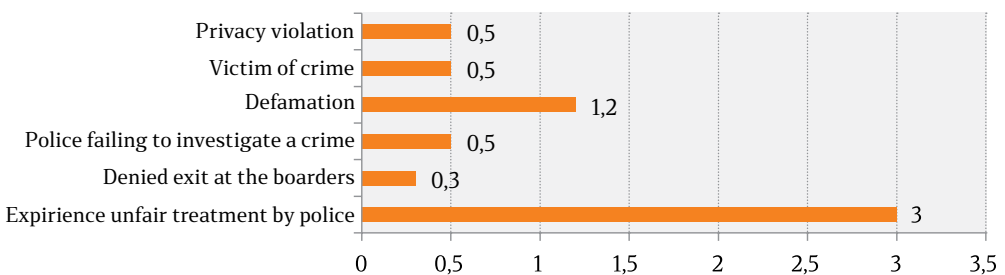


Figure 38: Frequency of Police Problems Reported (base = 2,858)

If we look at police-related problems based on the socio-demographic characteristics of the respondents, we only note gender differences. Men are more vulnerable to police related problems,⁸³ with 5% of men reporting they had some sort of police-related problem compared to 2% of the women. However, if we look at specific police related problems, other characteristics emerge as important, such as educational background or labor market status. On the other hand, no differences were found among respondents who reported that they were victims of crime that the police are failing to investigate.

Among those who reported unfair treatment by police such as harassment, improper search or seizure, etc., young people seem to be most vulnerable and are most likely to report unfair treatment, with 4%.⁸⁴ Additionally, men are significantly more likely to report unfair treatment by police than women (5% compared to 1%). There are also significant educational differences,⁸⁵ with university graduates (at 4%) reporting unfair treatment more frequently than respondents with a primary education. Furthermore, labor market differences were also noted, where the employed (4%) are more likely to report problems than the economically inactive (2%). The unemployed fall between the two other categories, with a 3% reporting rate for police abuse. No differences were found on the bases of place of residence, region or household income.

When it comes to defamation, men are significantly more vulnerable than women (2% and 0%, respectively). No other differences were found for defamation cases. On the other hand, privacy violation seems to be linked with labor market status. None of the unemployed and only 0.02% of the economically inactive reported privacy violations, compared to 0.09% of the employed.

In this section, it is worth discussing the problem with denied exit at the borders or otherwise unfair restriction of movement. This is a particularly worrisome problem for Macedonia, since various reports warned of possible unlawful and discriminatory practices by Macedonian border police, who in the attempt to prevent asylum seekers in the EU and protect the visa liberalization regime, resort to unlawfully preventing citizens from exiting the country, to which the Roma (and some ethnic Albanians)⁸⁶ are especially vulnerable. In our study, a total of 0.3% of

83 Significant difference, on the verge of practical significance $d=0.18$

84 Significant difference, close to practical significance, but not over the threshold $f=0.08$

85 But no practical effect $f=0.06$

86 Two letters have been so far submitted to Macedonian authorities, in August 2011 (available at: http://romarights.files.wordpress.com/2011/08/letter_

respondents claimed being unlawfully denied exit at the border, which is not an insignificant number of citizens if we take into consideration that a total of 2,948 Macedonian citizens (0.001% of the population) were officially denied exit in 2011, as reported by the Ministry of Interior.⁸⁷

It is important to note here that we did not look at ethnic differences beyond those between the Macedonians and the Albanians for any other problem, which is due to the fact that these were the only two groups in the sample that are large enough for a meaningful interpretation of the results. However, in the case of being prevented from exiting the country, it is widely known that this is a problem that mainly affects the Roma, so we broke down the numbers in this case to include all ethnic groups. Of the 9 reported denied exits at the borders, 2 (0.1%) were Macedonians, 3 (0.5%) were Albanians and 4 (1.7%) were from the other ethnicities. Of these 4 reported cases among the other ethnicities, 3 are Roma, which means that as much as 7% of all Roma respondents included in the study report experiencing this problem. This is assuming that all of them attempted to exit the border sometime during the screening period, but it is more likely that this percentage is higher, since we do not know how many of the 40 Roma respondents attempted to cross the border in the past three years.

We analyzed a total of 30 respondents for police problems related details and they were divided in their approaches in trying to solve the problems. While 16 of them did not take any action, the other half (14) at least contacted the other side. Only one in five respondents took the case to court.

macedonian_authorities_030811.pdf) and in March 2012 (available at: <http://www.errc.org/cms/upload/file/macedonia-letter-borders-20-april-2012.pdf>) by international Roma HR organizations.

87 Please see the Ministry of Interior's report for 2011, available at: <http://www.mvr.gov.mk/ShowAnnouncements.aspx?ItemID=10928&mid=1094&tabId=201&tabindex=0>



Figure 39: Action Taken to Resolve Police Related Problems (base = 14)

Respondents who did nothing to resolve police related problems were mainly discouraged and skeptical. As many as 78.6% stated that they believe no one can help them, 28.6% think that the judicial system is not effective, 7.1% didn't know where to go and 14.3% think that the problem is insignificant. Detailed reasons are presented in Figure 40 below.



Figure 40: Reasons for Inaction within Police Related Problems (base = 16)

PATH TO JUSTICE: RESPONSES **TO JUSTICIABLE PROBLEMS**

In this part of the study we look at how people deal with justiciable problems. In particular, we examine the different rates of action and use of advice services associated with different problem types, as well as look at the final outcome of the problems. The frequency of obtaining advice, as well as the landscape of advisers is also provided, in the attempt to understand who people turn to for advice. An effort was made to assess which information is used to identify advisors and the difficulties respondents experienced while seeking advice. By doing this, we illustrate how people's choice of advisers, although often logical and apposite, can be uncertain and unpromising.

We also tried to find out whether problems were triggered by other problems or related to previous problems. Respondents were asked whether the identified justiciable events were linked to other previous problems, and if yes, to what kind of problems. However, almost all respondents stated that the problem discussed was not connected to any other problem. In fact, only 2.2% of the problems (or a total of 62 individual problems) were related to another problem, so we can conclude that for most citizens, it is likely that the problems they will face will not be triggered by other events.

It was disappointing to find that only 38.6% of the problems were solved, while the rest were still ongoing, even though some lasted for more than three years. Furthermore, of the 38.6% of problems that were over, only 43.2% were deemed successful. If we look at the type of problems and compare the status of the problem, we can conclude that tenants' problems and problems with police are most likely to be resolved, while problems with discrimination and the government are most likely to be unfinished, or still ongoing. This indicates that the seriousness of the problem is not the only factor that contributes to its duration, but

that other factors, such as unequal power relations between the parties involved in the problem in the case with problems with government institutions, can also have an impact. The status of the problems within each problem category is depicted in Table 9 below.

Table 9: The Status of the Problem within Problem Categories

Problem category	Ongoing	Finished
Consumer	37.7%	62.3%
Employment	61.6%	38.4%
Housing	73.9%	26.1%
Landlord	77.8%	22.2%
Tenant	16.7%	83.3%
Money & debt	62.0%	38.0%
Government	73.8%	26.2%
Education	46.7%	53.3%
Partner related	69.2%	30.8%
Children related	54.5%	45.5%
Health	46.9%	53.1%
Police	29.4%	70.6%
Discrimination	80.0%	20.0%
Other	60.0%	40.0%
Total	61.4%	38.6%

Considering that the majority of the reported problems were ongoing, it is crucial to identify and understand the ways in which people deal with justiciable problems. When we analyze peoples' responses to problems, we distinguish between passive (those who do nothing) and active strategies (those who at least try to contact the other party). We analyze how these action strategies relate to the different types of problems and provide further information on the inactive strategies, especially focusing on the reasons for inactivity, as well as analyze whether inactivity is linked to certain types of problems or certain population groups. Within the active strategies employed, we attempt to illuminate the way people handle the maze of the advice system, as well as try to understand the connection between the type of problem and the strategy chosen to handle the problem. This includes the outcome of the strategy, as well as the incidence of problems resolved between the involved parties.

Why people employ different strategies to resolving problems can be explained by their sensitivity to the problem, their vulnerability to the problem, as well as their perception on how problematic a certain justiciable event is. It is therefore to be expected that different people have different attitudes and consequently use different strategies to resolve the problems. Table 10 shows the different strategies used for different types of problems.

Table 10: Employed Strategies for Solving Problems within Problem Categories

Problem category	Passive Strategy	Active Strategy	N
Consumer	43.4%	56.6%	83
Employment	43.0%	57.0%	135
Housing	20.2%	79.8%	208
Landlord	44.4%	55.6%	9
Tenant	33.3%	66.7%	6
Money & debt	25.0%	75.0%	140
Government	27.5%	72.5%	69
Education	93.3%	6.7%	15
Partner related	38.5%	61.5%	13
Children related	50.0%	50.0%	12
Health	61.8%	38.2%	34
Police	53.3%	46.7%	30
Discrimination	85.7%	14.3%	7
Other	21.7%	78.3%	23
Total	36.1%	63.9%	784

As can be seen from the table, while most of the problems (63.9%) are dealt with by the respondents, i.e., for the majority of the problems they employ active strategies, there is a great difference between the strategy used among the different types of problems. For example, respondents are mostly passive when it comes to cases of discrimination, when it comes to problems with the police and when they have a dispute with government institutions. Choosing to do nothing in cases of discrimination or problems with police and the government might be the result of discouragement, for the cases of discrimination rooted in the complexity of the burden of proof or for the cases of conflict with police and government the lack of trust in the fairness of the procedure. On the other hand, it is to be expected that people will be more active when their problem is connected to their housing or property, where as much as 79.8% of the respondents reported taking active measures to resolve the issues.

UNDERSTANDING INACTIVITY

Considering the fact that a substantial number of problems are not dealt with (36.1%), it is very important to understand the reasons behind the inactivity when people are faced with a problem. This is especially important in Macedonia, since this is the case for over one third of the

reported problems. If we take a look at the answers provided in the survey, we can see that the biggest cause for inactivity (which accounts for as much as the half of the inaction or 54.5%) is skepticism, or the lack of confidence that someone can help. This is a serious cause for concern and needs to be seriously considered, since it undermines the possibility to utilize the advice system.

However, as noted in *Paths to Justice*, people who take no action to resolve a problem because they think nothing can be done make this judgment without the benefit of advice and, therefore, without the benefit of an opportunity to identify solutions they are not personally aware of (Genn, 1999). Pleasence (2006) even suggested that “if people believe that something can be done to resolve a problem, action may still not be taken because of concerns about the physical, psychological, economic or social consequences of doing so. Such inaction perhaps constitutes a simple personal preference, reflecting the inherent cost of taking action, or, alternatively, reflecting structural failings in the civil justice infrastructure.” This might be particularly relevant to Macedonia, since the inactivity rate is much higher than in other countries, where on average it goes between 10 and 20 percent.

Other reasons behind inactivity suggest that people tend to be inactive when they do not perceive the problem as significant (17.6%), but still other indicators suggest that some disadvantaged groups may be more prone to inactivity due to barriers and costs they face (16.5% due to insufficient money and 15.1% due to lack of information.) Additionally, over one in ten respondents is discouraged from action due to distrust in the judicial system (15.1%). Finally, 17.9% were concerned about the time it might take to reach a resolution. Table 11 presents detailed data on the most common reasons for inactivity among respondents.

Table 11: Inactivity Rates per Reason for Inactivity

Reason for inactivity	%
The problem was insignificant	17.6
I don't think someone could help	54.5
I didn't have sufficient money	16.5
The work schedule was not adequate/ convenient	4.3
The other party agreed to solve the problem amicably	5.7
Our judicial system is not effective	15.1
This would have taken me too much time	17.9
The other party did not have sufficient money	1.1

I didn't know where to go	15.1
I had to travel long distances	3.6
I expected the problem to solve by itself	14.3
I did not need legal advice (I solved the problem alone)	9.3
I realized too late what was at stake/that this is a problem	6.1
DK/NA	5.8

As mentioned previously, different categories of people are more likely to be inactive than others. Our study suggests that the people who are more likely to do nothing are the poor, the younger and the unemployed. Additionally, there is a difference in activity among the ethnic groups, with Albanians less likely to do something, and, finally, a small difference exists between different geographical regions.

Men and women are equally likely to act on a problem, as well as people from rural and urban areas. Education did not reveal statistically significant differences, but the non-educated showed a tendency to be less passive (there was no difference between the other two education categories). An effect size test between respondents with a high school education and respondents with lower education revealed a practical effect between the two groups ($d=39$). There are also differences in the choice of strategies for resolving the problems depending on the economic situation of the respondent, where as expected, the economically disadvantaged are likely to do less.

Activity is also dependent on the age of the citizens faced with a problem. The youngest are more inactive compared to the oldest.⁸⁸ The possibility of an active response rises linearly and reaches a peak at ages 70-79, with big effect sizes. The unemployed are also less active compared to the employed and the economically inactive (perhaps because the unemployed are discouraged in general). We also noted some regional differences, between the Vardar region (the most active) versus the northeast region (the most passive), but there were no differences between respondents who live in rural areas compared to their peers in urban areas. Table 12 below provides data on the first action undertaken by respondents, in their efforts (if any) to solve the problems.

88 80+ excluded because of small size

Table 12: First Reactions to the Problem

First thing done	Percentage
Contact the other side	35.7
Threatened the other side with legal action	1.1
Went to court	9.2
Went to mediation	1.0
Took the problem to an ombudsman	0.6
Sought legal advice	9.8
Sought legal advice from another organization	1.7
Paid other side some money	1.3
Other action (specify)	5.3
Didn't do anything	34.2
Total	100.0

When action was taken to resolve justiciable problems, just over one third (35.7%) reported that they contacted the other side as the first thing they did in the attempt to solve the problem. A further 16.6% contacted the other side at some point. However, only 5.7% of the problems were resolved because an agreement was reached with the other side or the problem was handled by the respondent alone. One third (29.2%) of the respondents reported that they sought formal advice at some point, and 11.2% seek advice immediately. Additionally, one in ten (9.2%) go to court right away. The remainder handled the problem by threatening the other side with legal action (1.1%) or paid the other side some money (1.3%).

THE PROBLEM VALUE AND RELATED CONSEQUENCES

As part of the study we also analyzed and collected data on the value of the problems experienced by Macedonian citizens. The goal was to see how the value of the problem affects citizens' approaches for dealing with it, if at all, as well as to see what the distribution of the value of the problems is across the population. Looking at Table 13, we can see that the majority of the problems (42.3%) respondents faced were below 500 Euro, of which half are below 100 Euro. In absolute terms, this means most of the problems are small problems that should not significantly affect citizens' lives, but taking into consideration the underdeveloped economy, the poverty rate, and the average monthly salary of people in Macedonia (which was around 350 Euro in 2012), even small value problems can present a considerable

burden for citizens. Whether this is the case is discussed later in this chapter. A further third of the population face problems that are between 500 – 5,000 Euros in value, and one in ten citizens face problems between 10,000 and 50,000 Euro.

Table 13: Problem Values, their Status and Types of Strategies Engaged for Resolution

Problem Value	N	%	Passive Strategy	Active Strategy	Ongoing	Finished
Less than 100 €	138	20.4	43.2%	56.8%	43%	57%
Between 101-500 €	148	21.9	34.3%	65.7%	53%	47%
Between 501-1,000 €	83	12.3	18.1%	81.9%	58%	42%
Between 1,001-5,000 €	111	16.4	27.3%	72.7%	68%	32%
Between 5,001-10,000 €	34	5.0	27.3%	72.7%	82%	18%
Between 10,001-50,000 €	65	9.6	12.4%	87.6%	74%	26%
More than 50,001 €	35	5.2	8.6%	91.4%	79%	21%
Not a financial issue/	28	4.1	64.3%	35.7%	33%	67%
DK/NA	33	4.9	36.4%	63.6%	73%	27%
Total	675	100.0				

The analysis also revealed that the likelihood to act on a problem depends on its value. The difference is significant, i.e., there is a great difference between strategies employed for less valuable problems compared to the more valuable problems. For example, respondents are mostly passive when the problem is not financial or the value at stake is very small (less than 100 Euro). This is to be expected because of the assumption that such problems do not affect respondents in a meaningful way. However, this can also be taken to indicate that the path to justice is time consuming and costly in Macedonia, and citizens - acting like 'consumers' - consider whether they will lose more compared to what they will gain if the problem is solved, and therefore decide not to do anything. However, this study does not look into these questions, so further research is needed to answer them. On the other hand, it is to be expected that people will be more active when their problem is related to greater values, where as much as nine out of ten respondents reported taking active measures to resolve problems that have 50,000 Euro or more at stake.

The problem value not only increases the likelihood that the respondents will employ active strategies to resolve the problems, but also correlates with the status of the problem. Unfortunately, if we look at the value of the problem and compare it to the status of the problem,

we can conclude that the more valuable the problem, the less likely it is that it is finished. This indicates that the seriousness of the problem contributes to the duration of the problem, but also signals that citizens might experience more negative effects in such cases. Those differences are statistically significant.

The study also tried to assess how the problems affect the respondents' lives, or how severe the problems were for them. We asked three questions in order to capture different types of negative consequences. People were asked to grade on a scale from one to seven how financially severe their problem was (where 1 was no financial impact, and 7 a life changing amount of money); how stressful the problem was (where 1 was no stress at all, and 7 was maximally stressed); and how harmful the problem was for the respondents' life (where 1 was no harm at all, and 7 was 'it destroyed my life'). Table 14 presents the mean values for those questions.

Table 14: Problem Value and Reported Consequences by Respondents

Problem Value	N	How much has it hit you financially?	How much stress has it caused?	How much harm has it caused?
Less than 100 €	125	3.57	3.99	3.04
Between 101-500 €	144	4.84	4.88	4.26
Between 501-1,000 €	82	5.10	5.11	4.49
Between 1,001-5,000 €	108	5.32	5.19	4.94
Between 5,001-10,000 €	34	5.56	5.74	5.28
Between 10,001-50,000 €	63	5.73	6.11	5.61
More than 50,001 €	31	5.16	5.66	5.37
Not a financial issue	28	3.54	5.93	4.70
DK/NA	30	4.43	5.35	4.13
Total				

We can see from the table above that when the problem is not financial in nature or is small in value (less than 100 Euro), it does not pose a financial burden. However, all problems above 100 Euro in value have mean values above 3.5 (i.e., the middle of the scale), which means that they impose a financial burden, and this burden is significant for all problems above 1,000 Euro in value. On the other hand, if we compare the reported stress associated with the problem, the study reveals that the problems cause much more stress than they are considered to be a financial burden, since all problems (even those that are not financial in nature or are very small in value) cause significant stress. Furthermore, the damage caused by the problem is comparable to its financial burden, i.e., the bigger the

value, the bigger the perceived harm caused. The only exception are problems that are not financial in nature; however, even though they do not represent a financial burden to the respondents, they nevertheless seem to be harmful or damaging to their well-being.

THE OTHER SIDE OF THE PROBLEM AND RELATED CONSEQUENCES

Looking closely at the opposing parties in the problem faced and their interdependence to the status of the problem, strategies employed and perceived fairness of the process, we can conclude that there are significant differences that are dependent on the other side of the problem (detailed data is provided in Table 15 below). Firstly, we notice a trend of dependence of the percentage of finished problems on the type of organization/person the 'other side' is. While on average only 38.6% of the problems were finished, the completion rate varied: it was more likely to be completed if the other side was a private organization (59.1%), family member or a partner (44%), or a non-relative (43%) and less likely to be completed when the other party is the state (29%) or an employer (only 39%). This indicates that the citizens are in a disadvantaged position compared to those that should guarantee their rights (the state and the employers). This should be a great cause for concern and an impetus for reforms in these areas. Considering this finding, it is not surprising that citizens are skeptical when it comes to pursuing cases against their employers or state institutions, with a clear interdependency between the 'type' of opposing party and strategies employed by respondents to resolve the issue.

Table 15: Other Side of the Problem and its Status, Strategy and Perceived Fairness

Other side	Ongoing	Finished	Fair outcome	Unfair outcome	Passive strategy	Active strategy	N
Family/ Partner	66%	44%	42.1%	57.9%	17.1%	82.9%	47
Employer	61%	39%	23.1%	76.9%	34.9%	65.1%	86
State institution	71%	29%	24.4%	75.6%	40.2%	59.8%	309
Private organization/ company	40.9%	59.1%	40.9%	59.1%	31%	69%	184
Non-related person	67%	43%	29.0%	71.0%	26.4%	73.6%	163

Additionally, if we see how the opposing parties in the experienced problem correlate with the respondents' satisfaction with the outcome of the problem, we can also notice a trend of dependence of the perception of fairness on the type of organization/person the 'other side' is. While on average most of the respondents felt that the outcome of the problem was not fair (68.2%), the level of satisfaction differed, varying from most satisfied when the other side is family or a partner (42.1%), and least satisfied when the other party is an employer (only 23.1%) and the state (24.4%). Similar to the previous findings, it is not surprising that citizens are skeptical of the outcome of a problem involving state institutions and employers and that this negatively affects their choice of strategies, meaning that it is more likely that citizens will not do anything if their this involves going against state institutions or their employers.

These findings indicate that citizens are discouraged from taking action when they face a problem against their employer or a state institution, since they believe from the very beginning that they are destined to fail. This perception can also negatively affect trust in the institutions, which is also a predictor for taking action. It is important that further research is conducted to explore the reasons behind these negative perceptions and to identify ways in which to improve them, as this will be crucial for the further improvement of citizens' paths to justice. Some indicators are provided in this publication, in the chapter on respondents' reactions to problems.

OBJECTIVES AND PURPOSE

As part of the study, we also looked at the respondents' objectives when dealing with their problem. Respondents were asked what their objectives in dealing with the problem were, in an attempt to identify what motivates respondents to take action. In addition to this, respondents were asked to assess to what extent the outcomes achieved were regarded as fair. In an attempt to provide as clear a picture as possible, an analysis was carried out to identify the factors associated with the achievement of the objectives and the perception of the fairness of the outcomes.

Firstly, respondents that do something to resolve their problem were asked what they wanted to achieve and they were given the option to state more than one objective. As we can see from Table 16 below, the most common objective was delivery of justice (71.4%), followed by elimination of the problem (70.8%). Additionally, a common objective for

doing something is getting money or compensation from the other side (57.6%) and a third (36.1%) of the respondents take action in order to protect their real estate. Other objectives were less common, such as trying to get a reduction of a bill, ending a relationship, accessing public services or protecting goods. The least common objective was revenge, reported by only 2.6% of respondents. In addition to the objectives listed in the questionnaire, every fifth respondent gave some other reason as their objective in attempting to solve the problem.

The analysis revealed that what citizens wanted to achieve depends on the other side. For instance, delivery of justice is the most frequent objective when the problem is against an employer or a non-relative and least common when the other side is a private entity. Additionally, there are significant differences when the objective of the action is to get money or compensation. This is most common when the respondent is up against an employer and least common when the other side is a family member. Provision of public services is also dependent and most likely to be reason for action against a state institution or a private entity. There are no statistically significant differences dependent on the other side when respondents took action because they wanted to protect their goods, to eliminate the problem, or to get revenge.

As mentioned earlier, one in five respondents gave some other objective that motivated them to take action and most of these were related to protecting their own life or the lives of others, protecting their rights (such as privacy), accessing their own property, negotiating and postponing payment of debt, improving quality of delivered services (such as improvement of the stability of electricity) or protecting public order (restricting noise coming from cafés).

Table 16: Objectives for Action and the Other Side of the Problem

Objective	Average	Family/ Partner	Employer	State institution	Private Entity	Non related person	N
Wanted to get compensation	57.6%	36%	94%	47%	54%	64%	208
Trying to get reduction in a bill	17.9%	0%	0%	27%	27%	6%	44
Termination of relationship	12%	33%	14%	7%	15%	8%	28
Retaliation	2.6%	0%	10%	3%	0%	4%	6

Delivery of justice	71.4%	75%	85%	70%	58%	82%	230
Protection of real estate	36.1%	77%	12%	41%	17%	38%	97
Protection of goods	8.5%	0%	6%	6%	13%	11%	19
Provision of public service	15.3%	0%	11%	22%	21%	8%	36
Elimination of the problem	70.8%	65%	73%	75%	69%	70%	221
Other	19%						36
DK/NA							

Respondents were also asked whether they expect to achieve the desired outcome for the problem they are experiencing and they were divided in their responses. Half of the respondents (49.3%) were skeptical, of which 12.8% believe that it is not likely at all that they will see the desired outcome. The other half (49.7%) were optimistic and thought it likely to achieve the desirable outcome, with 17.1% thinking that this is very likely.

We analyzed whether the reported optimism and skepticism changes for problems that are not finished yet, as well as if this correlates with the ‘other side’ of the problem. Table 17 below shows the satisfaction expectations of the respondents who have ongoing problems for each type of opposing side, as well as their expectations to achieve the desired outcome. Looking at the data, we can conclude that the majority expect to be mostly satisfied when they face problems against family members and that about half of the sample expect to be satisfied with the outcome of a problem involving state institutions and a problem against a non-relative. Citizens are less optimistic when it comes to achieving the desired outcome in problems related to a private entity (42.3%), and the least optimistic when it comes to problems involving their employers, where only 39.3% expect to be satisfied with the outcome.

Table 17: Expected Satisfaction with Outcomes and Perceived Likelihood for Achieving Desired Outcome

	Family/ Partner	Employer	State institution	Private Entity	Non related person
Expected satisfied with the outcome					
Very satisfied	8%	11.8%	18.9%	7.7%	16.7%
Satisfied	56%	27.5%	32.5%	34.6%	36.9%
Unsatisfied	16%	37.3%	18.4%	29.5%	20.2%
Very unsatisfied	8%	5.9%	7.3%	9%	3.6%
DK/NA	12%	17.6%	22.8%	19.2%	22.6%
Likelihood to achieve what wanted?					
Very likely	5%	22.6%	21%	19.3%	11.6%
Likely	50%	22.6%	32.8%	26.3%	42%
Unlikely	40%	41.9%	37.8%	35.1%	29%
No chance at all	5%	12.9%	8.4%	19.3%	17.4%

EXPERIENCE AND SATISFACTION FROM THE JUDICIAL SYSTEM

In this chapter we present citizens' experiences and satisfaction with the judicial system in general, including their attitudes toward the legal system. In trying to do so, we first analyze the types of organizations usually involved in providing legal advice, as well as their importance (or usefulness) to citizens in their paths to justice. Questions such as costs involved, reasons for seeking advice, the point at which they usually seek advice, as well as their overall satisfaction with the advice, are also analyzed. Furthermore, we examine the experiences of citizens who were involved in court proceedings. Only a minority of respondents experiencing justiciable disputes had been involved in legal proceedings at all (about 6.5%) and an even smaller proportion actually attended a court hearing. Mediation is underutilized and has a trivial impact on the problem resolution in Macedonia. Nonetheless, the experiences of these respondents were used to gain valuable insight of the way in which the public experiences and responds to legal proceedings. Therefore, this chapter provides information about the patterns of seeking advice, the nature of the relationship between citizens and their attorneys, citizens' perceptions about court proceedings and their satisfaction with the quality of the representation received.

LEGAL ADVICE

Of the respondents that took some kind of action to resolve their problem (N: 536), 182 sought some type of legal advice. They represent 34% of those that employed active strategies and 22% of all respondents who had a justiciable problem. This means that only one in five citizens with justiciable problems is likely to seek legal advice as a step in the

dispute resolution path. Most of the citizens, therefore, try to resolve their problems by themselves and in direct contact with the other side of the problem (see Table 18).

Table 18: First Reaction as Percentage of Active Strategies

First thing done	Percentage of total	Percentage of Active strategies
Contact the other side	35.7	54.3
Threatened the other side with legal action	1.1	1.7
Went to court	9.2	14.0
Went to mediation	1.0	1.5
Took the problem to an ombudsman	0.6	0.9
Sought legal advice	9.8	14.9
Sought legal advice from another organization	1.7	2.6
Paid other side some money	1.3	2.1
Other action (specify)	5.3	8.0
Didn't do anything	34.2	
Total	100.0	

The majority, or 85%, stated that the most essential person/organization from whom they received advice were attorneys. However, it is disappointing that 11%, or more than one in ten respondents, stated that no one was helpful. All other possible advisers were mentioned as most essential in an insignificant number (6 respondents or less each). In the study, we also tried to understand the motivation for contacting those most essential advice providers. It can be concluded from Table 20 that citizens mainly base their approaches to resolving a dispute on advice and recommendations from the people they trust the most: their family, friends, colleagues, and partners. Almost half of the respondents (47.3%) stated that they contacted their most essential adviser based on suggestions from people they personally knew. The second most important 'push factor' is the respondents' own experience or initiative. As much as 38.2% of the respondents request advice based on their own accord, while advertisements and other forms of help are almost entirely unutilized.

Table 19: Types of Organizations/Person Consulted

Who was consulted	N	Percentage
Local municipality	26	4.9
Member of Parliament/ Municipal council	11	2.1
Ombudsman	37	6.9
Public prosecutor	18	3.4
Court	35	6.5
Attorney	186	34.7
Trade union	7	1.3
NGO	5	0.9
Employer	3	0.6
Social worker	5	0.9
Consumer Protection Organization	0	0
Doctor or other health worker	4	0.1
Police	14	2.6
Anti-Discrimination Commission	1	0.2
Relative/friend/colleague	34	6.3
Other person or organization	8	1.5
Mediator	4	0.7
Total	100.0	

Table 20: Citizens Paths to the Most Essential Adviser

What made you contact the most essential adviser?	N	Percentage
It was advised or suggested by a friend/ relative/ colleague	99	47.3
Previous experience of similar situation	54	25.8
Saw or hear advertisement or campaign for the adviser	5	2.4
Self initiative	26	12.4
Other (specify)	9	4.2
Can't say/ DK	16	7.7
Total	209	100.0

Theory suggests that not only the request and access to advice, but also access to prompt advice is essential to a successful consolidation of

the problems. In an attempt to illuminate the paths to justice, the study also had a question on the timeliness of seeking advice. Respondents were asked how long after they encountered the justiciable event (or became aware of it) they contacted someone or asked for advice. On a positive side, half of the respondents did not delay asking for assistance and immediately sought advice. The other half contacted an advisor sometime during the next 6 months. In total, just over 15% sought advice after half a year. A detailed overview of the time before the first advice is depicted in Table 21.

Table 21: How long after the problem started, advice was sought?

Time period before first advice	N	Percentage
Immediately	108	48.9
1-2 weeks	20	9.0
Up to one month	20	9.0
Up to two months	5	2.3
3 months	15	6.8
6 months	6	2.7
More than 6 months	36	16.3
Can't say/DK	221	5.0
Total	100.0	100.0

Several questions were asked in order to assess the accessibility of the available legal advice mechanisms. Respondents were asked about whether they contacted their adviser personally, how often, as well as the distance they had to travel to get to their adviser. Furthermore, respondents were also asked to grade whether the advice was useful to them, as well as whether they would recommend the same adviser to people who face same or similar issues. On a positive side, the study reveals that, in general, citizens are satisfied with the provided legal advice.

Firstly, most of the respondents (86.8%) were able to personally meet with their principal adviser and only one in ten respondents (13.2%) did not meet their advisers at all. The ones that do meet, usually contact an adviser that is located very close to them. Two thirds (64.8%) only needed to travel walking distance (less than 5km), of which 8.6% do not travel at all, as the adviser came to them. An additional quarter (25.9%) needed to travel 5-25km, and the remainder (9.2%) needed to travel more than 25km (of which 2.2% even more than 50km).

Regarding the frequency of the communication between citizens and their advisers, we noted different practices. The respondents were most likely to report that they met with their adviser once or twice, followed by those respondents who met their advisers three to five times. 5.4% of respondents never contacted their adviser. More detailed data is presented in Table 22 below, revealing that half of the respondents have between one and five direct contacts with their adviser.

Table 22: Frequency of contacts with adviser

Number of direct contacts	N	Percentage
Never	11	5.4
Once or twice	56	27.3
3-5 times	46	22.4
6-10 times	32	15.6
11-15 times	14	6.8
16-20 times	4	2.0
More than 20 times	42	20.5
Total	205	100.0

Two thirds of the respondents who sought advice had to pay for the advice (65.6%). This potentially means that free legal advice might not be accessible for low-income families. The other third that did not pay for the legal advice was asked who paid for the services, in order to assess the access to the free legal aid system, but only three respondents explicitly stated that the advice was covered by the state. All other respondents mentioned that it was free, or that they were not asked to pay, but from the responses it cannot be concluded whether it was initial legal counsel for which expenses are not requested, or whether some kind of free legal advice was provided and the respondent does not know who covered it. Therefore, additional research is needed to assess what types of legal advice are offered and how they are financed.

As reported above, citizens were satisfied with the received help and positively assessed the helpfulness of the advisers. The majority of the respondents (54%) stated that they would definitely recommend the adviser to other people that are in a similar position. An additional 27.7% stated that they would probably recommend the adviser. This indicates that the received advice is relevant and generally helpful for the citizens. However, 18.3% would not recommend the adviser, of which 8.1% would definitely not recommend the adviser. Therefore, almost one in five respondents was not satisfied with the received counseling.

The overall positive assessment is expectedly reflected in the overall satisfaction from the received advice. Once again, over two thirds stated that they found the advice and help useful, where 45% find it useful and 27.3% very useful. The rest were not satisfied and find the advice not very helpful (18.7%) or not helpful at all (9.1%). While in general the citizens positively assess the quality and relevance of the received advice, there is one in every ten citizens that is dissatisfied and finds the received aid useless.

We were also interested to learn what type of advice citizens request, but also what type of advice they receive (Table 23). Citizens are very pragmatic in their expectations from the advisers. They expect and seek advice in an attempt to generate new ways and approaches to solving the problem. The biggest number of citizens stated this as their motivation or reason for contacting the adviser. 28.9% wanted to learn about their legal rights, which indicated a great knowledge gap when it comes to individual legal rights. A further 26.7% wanted to inform themselves about the possible procedure if they decided to pursue a formal solution to the problem.

Table 23: Sort of Advise Requested and Received

Type of advice REQUESTED	N	Percentage
About legal rights	155	28.9
About the procedure	143	26.7
About ways to solve the problems	158	29.5
About the financial position	69	12.9
Someone to represent the client in court	68	12.7
Other advice or help	16	13.5
Most common advice suggested by advisers	N	Percentage
Contact other side to try to resolve the problem	86	57.0
Seek advice or help from another person/ organization	16	13.6
Threaten other side with legal action	32	26.0
Go to court	136	72.3
Go to mediation	17	15.0
Take the problem to ombudsman	25	20.8

On the other hand, we checked whether some most common actions were suggested to the citizens by their advisers. Our interest primarily was to see whether legal advisers tend to suggest the judicial system as

an appropriate mechanism for conflict resolution. Interestingly, 72.3% of the citizens were advised to take their problem to court and only 15% were advised to seek mediation. 57% were also advised to contact the other side for resolution and 26% were advised to threaten the other side with legal action. One in five respondents was advised to go to the ombudsman. While the vast majority of respondents were advised court proceedings, only a few actually went to court to resolve the problem. This was the case for 6.5% of the total sample, but 34.1% of those who took some kind of action to resolve the problem.

EXPERIENCES WITH THE LEGAL PROCEEDING AT COURT

A special part of the questionnaire was devoted to getting data about the experiences of citizens who take their cases to court and their perception of the fairness of the system. Firstly, respondents were asked about the highest stage (court) their case reached. Expectedly, most of the cases were processed in the basic courts (59%), followed by 29% at the appellate courts. Very few went to the highest court, with only 5.5% taking their cases to the Supreme Court. Similarly, very few (5.5%) went to the specialized Administrative court, and 0.5% reached the Constitutional Court or international courts.

Three in four respondents (74.5%) initiated the court proceedings, while one quarter (25.5%) of the respondents had a case filed against them in court by the other side. In general, citizens do participate in the processes and attend the hearings. However, one third (36.5%) did not personally attend any of the court proceedings. And while the majority participate, not everyone is being represented. One in five respondents represented themselves and three of four employed the services of an attorney. All other representations are trivial and are shown in Table 24 below.

Table 24: Representation in Court

Who represented you in court?	N	Percentage
Myself personally	37	19.1
Relative	1	0.5
Attorney	146	75.3
Attorney provided by the Union	2	1.0
Other	5	2.6
DK/NA	3	1.5
Total	194	100.0

Those who did not have representation at court were asked what the reasons were and citizens were divided in their answers. While half of them stated that they could not afford it, the other half stated that they did not think they needed anyone to represent them. On the positive side, the majority of those that were not represented in court (61.8%) did not feel that they were in a disadvantaged position because they did not have an attorney; however, a significant third (32.4%) felt this.

All respondents that were present in court were asked questions about their experiences with the court system. Firstly, they were asked specifically about whether they understand the court procedures, whether they understand why particular questions were being asked, as well as whether they knew who the various people at the hearing were. The study indicates that the citizens are aware of the judiciary and are confident in various aspects important for judicial protection. Namely, 85.1% felt comfortable with the procedure, 83.8% did not have any difficulties understanding the questions posed during hearings and the reasons why these were asked, and 87% knew who the various people involved at the hearing were. This indicated that citizens are familiar and at ease with the current judicial system.

Similarly to those who were not represented in court, those who had an attorney were asked a few questions to assess the level of satisfaction of the received representation and the perceived quality of the services provided. The vast majority of the citizens are satisfied with their legal representation. One third (30.9%) believe that their attorneys were very good, 44% believed they were good. However, one in ten representatives (11%) were dissatisfied and believe that their attorney was not representing them well and an additional 5.9% were completely dissatisfied and believe their attorney was misrepresenting them. This dissatisfaction often leads to change in the representation and few respondents commented that while they were not satisfied with the first attorney, their second attorney was good. 8.1% do not have an opinion and could not say how satisfied they were with their attorney. In general, citizens still believe that it is better to have representation rather to be alone during the court proceedings. 73.8% stated that they disagree that it would have been better for them if they were not represented, and 8.5% stated that this may have been the case. Only 7.8% believe they would have been better off without legal representation.

Finally, respondents were asked whether they were familiar with their rights. It is good that the majority of citizens believe that they understood their rights during the court procedures. Most of them (29.3%) stated that

the completely understand their rights and an additional 27.6% stated they mostly understand their rights. However, one quarter (26.6%) said they understand very little and as much as 13.4% did not understand their rights at all. This suggests that further efforts are needed in order to educate and empower citizens about their rights when faced with court proceedings.

MEDIATION AND ITS LACK OF USE

In an attempt to assess the use and satisfaction of mediation as a new mechanism introduced in Macedonia, respondents were also asked whether they have had any involvement in mediation. However, only 8 respondents stated that they have been involved in mediation, so no conclusions can be made on the satisfaction of the system for mediation in Macedonia. However, the fact remains that despite efforts to promote mediation by the government,⁸⁹ Macedonian citizens fail to use it. The number of cases in which mediation is applied is extremely low and the number of successfully completed mediation cases is insignificant.⁹⁰ This was proved with this study, where less than 0.3% of all respondents had experience with mediation as a means for solving their problems, again reflecting the trivial impact mediation has on dispute resolution in Macedonia.

⁸⁹ The country adopted a Law on Mediation (effective since 2006), in an effort to promote mediation, and has over 130 mediators. However, up to date very few cases are solved through mediation and this system is still underutilized in Macedonia

⁹⁰ EC Annual Progress Report, 2012

OUTCOMES

I am relatively satisfied; it could have been even worse.

Respondent on happiness with the outcome

This chapter focuses more directly on the outcomes that were achieved by those trying to resolve their problem. It looks at factors that contribute to the perceived fairness, but also allowed for the respondents to reflect on their experiences and to assess whether they would have done anything differently. In order to assess the outcomes, respondents that took any action were first asked about whether they were satisfied with the resolution of the problem. Unfortunately, most of the citizens were not satisfied with the outcome. 40.5% were dissatisfied with the outcome, and an additional 19.3% were very unsatisfied. This means that 59.8% of the citizens are not happy with the outcomes, despite their efforts to solve the problem. However, more than a quarter (28.4%) are satisfied and an additional 6.5% very satisfied with the outcome.

Expectedly, since the majority of respondents were not satisfied with their outcome, they tend to believe that the ‘other side’ is more satisfied from the resolution. More than half (53.6%) believe that the other side was satisfied (of which 13.7% very satisfied) and only 16.7% believe the other side was unsatisfied to certain extent. For a third, it was difficult to assess how satisfied the other side was. This data is shown in Table 25 below.

Table 25: Satisfaction with the outcome

How satisfied are YOU with the outcome	N	Percentage
Very satisfied	20	6.5
Satisfied	87	28.4
Unsatisfied	124	40.5
Very unsatisfied	59	19.3
Can't say/DK	16	5.2
Total	306	100.0

How satisfied was THE OTHER SIDE with the outcome	N	Percentage
Very satisfied	41	13.7
Satisfied	119	39.8
Unsatisfied	37	12.4
Very unsatisfied	13	4.3
Can't say/DK	89	29.8
Total	299	100.0

Related to the satisfaction from the outcome is the perceived justness and fairness of the outcome, for both parties involved in the problem. Here, respondents were asked to state how fair they think the outcome was for everyone concerned. Unfortunately, two thirds of the respondents (68.9%) believe that the outcome was unfair, and just under a third (31.1%) believe it was fair. This perceived lack of fairness has negative consequences on the trust in the judicial system, but also on the empowerment of citizens to take actions for solving their problems. Further research is needed in order to explore where those perceptions are based, since this study only explores some of the factors, such as the time needed for solving the problem, the support available, or attitudes towards the legal system.

The lengthy duration of legal procedures in Macedonia has been widely discussed and criticized by the expert community, and was one of the reasons for the initiation of the Strategy for Judiciary Reform in 2005, which involved various instruments such as improving legislation, increasing capacity building and modernizing court management in order to decrease the back log of cases and speed up procedures. The importance of the timely resolution of problems is multidimensional: from stimulating positive perceptions of fairness for the legal system and the empowerment of citizens, through impacting justice, to economic benefits for the parties and the state. Many studies that we drew from for the analysis focused on of the duration of the court cases, so in this study we also assess the duration of the citizens 'paths to justice' in general. This is not only connected to the court cases, since for citizens the time they spend dealing with the problem in reality includes the entire period from the start of the problem to its resolution, regardless of whether the problem was solved in court.

The expected time needed for resolving the problem also plays a role in empowering or discouraging citizens to action. Therefore, respondents that were surveyed on a problem that has been finished, were asked whether the resolution took the expected amount of time, and if not, whether it took more or less time than expected. If we look at the

satisfaction with the duration of the resolution of the finished problems, it can be concluded that they lasted slightly longer than expected, with every fifth respondent reporting a significant delay in resolving the problem. This dramatically increases with ongoing problems, where as much as 59.4% of the respondents expect the problem to last much longer than they expected at the time when the problem first started (Table 26).

Table 26: Duration of the Process for Resolving the Problem

How long did the problem lasted (finished), or is expected to last (ongoing)	Finished Problems	Ongoing Problems
Much shorter than expected	12.7	1.4
A bit shorter than expected	12.0	0.9
About as long as you expected	20.2	8.2
A bit longer than expected	17.8	16.7
Much longer than expected	20.9	59.4
Can't say) DK/NA	16.4	13.5

Furthermore, respondents with ongoing problems were asked to estimate how long it would take for the problem to be solved (Table 27). They were also asked whether they expect to be satisfied with the outcome. The study suggests that one fifth of the population is already discouraged and believes that their problem will never be solved. Additionally, every tenth respondents believes their problem will only be solved in a year's time. One in five respondents believe that that their problem will be resolved within six months, of which 8.34% expect it will be solved immediately or in a very short period of time.

Table 27: Expected Future Maximum Duration of the Problem

When do you expect the problem to be solved?	N	Percentage
Immediately or in a very short period	37	8.34
Couple of months	35	7.88
About 6 months	16	3.61
One year	49	11.04
Couple of years 2-5	21	4.73
More than 5 years	14	3.15
It will never finish	91	20.49
Can't say	181	40.76
Total	444	100.00

When it comes to expected satisfaction with the outcome citizens are optimistic. Most of them (33%) expect to be satisfied, and 14.7% believe they will be very satisfied. One in five respondents (22.9%) is skeptical about the outcome, and 6.5% expect that they will be very unsatisfied. Expectedly, many respondents (22%) unable or unwilling to speculate on their expected satisfaction. Based on this, and considering satisfaction levels for finished problems, we can conclude that, in general, citizens remain positive about getting a satisfactory outcome, despite the lengthy process involved.

Citizens were also asked whether they wished that they had done something differently at the time when they first experienced the problem. The idea was to see whether we can identify possible factors that can support citizens' paths to justice, as well as to allow for an opportunity to learn from the individual experiences of citizens and their assessment of the value of different factors in the process of resolving the problem. While 58.2% stated that there is nothing that they would have done differently (which assumes that they are satisfied with their own activities), others identified various different steps they would have taken. Most of them would have liked to have acted sooner (both in general, but also specifically to have got legal advice). This might indicate that they were satisfied with the advice and would have liked to have accessed it as soon as possible. One in five respondents wished they had used the court system and taken the case to the courts, which is a positive signal for the judiciary. Additionally, respondents identified certain things that would have impacted their behavior in solving the problem, some of which related to money (such as having access to finances). Others stated that they would have taken steps to avoid the problem (for example, they would have quit their job, or not lent money), or to make sure they were legally protected (such as signing written agreement, etc.).

Respondents were also specifically asked if they wished they had known something when the problem started and citizens were divided in their answers (Table 28). 43.3% stated that they did not lack knowledge, compared with almost the same (41.0) portion of the population who wished they had known more when the problem started. The remaining 15.7% did not know whether there was specific knowledge that it would have been useful to have. Those who would have liked to have had more information were asked to specify the type of information and their answers can be grouped in several categories. The majority of those respondents were referring to some sort of specific knowledge, such as the conditions for building or that the scope of an agreement is automatically extended after the time expires, or that their employer did not pay social

and pension benefits. The other most common response was that they would have liked to have known that they needed legal advice. However, it is worrisome that there was a common negative sentiment in many of the responses to this question, which revealed skepticism toward other people (suggesting that it would have been good to know that the 'other side' was lying) or skepticism toward the functionality of the system (suggesting that they would have liked to have known people that could help them solve the problem thorough connections and corruption).

Table 28: What they would have done differently when the problem first started

	N	Percentage
Nothing	287	58.2
Got advice/got more advice elsewhere	136	42.4
Got advice sooner	126	41.6
Acted (in general) sooner	168	51.1
Tried harder/ been more resolved or assertive	96	33.2
Not get advice	14	5.7
Avoided the problem	175	53.2
Used a formal (court) process (or sooner)	56	18.9
Got information/ more information	157	50.0
Other	23	9.0
Did nothing	20	8.1
DK/NA	57	27.4

NEGATIVE EFFECTS: HOW JUSTICIABLE PROBLEMS IMPACT LIVES

The survey also looked at the perceived negative effects of the justiciable problems on the respondents' lives. The goal was to find out whether there is a link between civil justice and social exclusion, and in particular to determine how those problems affect people's lives and communities. The idea stemmed from the fact that a justiciable problem itself causes different negative experiences and that these vary between population groups, as well as between different types of problem categories. All respondents who have faced a serious justiciable problem were asked in the second part of the interview to assess how severe the problem was for them personally. Three questions were asked to assess the severity, in terms of stress, financial damage, and harm caused to their life in general. Respondents were asked to rank the negative effects on a scale from one to seven, where one means no negative affect at all, and seven means a maximal negative effect (Table 29).

Table 29: Negative Impacts of Justiciable Problems

Negative Effects	1	2	3	4	5	6	7
How much stress has the problem caused you?	No stress at all			Maximally stressed			
	8.9	5.2	9.3	10.0	16.1	8.4	42.0
How much has this problem hit you financially?	It was nothing for me financially			Life changing amount of money			
	17.2	7.0	9.9	8.2	11.5	8.7	37.5
How much harm has this problem caused to you in general?	No harm at all			Destroyed my life			
	16.8	9.5	10.4	10.4	12.3	8.5	32.2

The results indicate that people perceive drastic negative effects resulting from the problem. The most negative effect is stress, where as much as 42% of the respondents' felt they were maximally stressed due to the problem, with two thirds (66.5%) feeling great stress (5+). Similarly, people reported great financial damage caused by the problem, with over a third (37.5%) claiming that the problem involved a life-changing amount of money. The majority of the respondents (57.7%) reported to have been faced with serious financial damage (5+). Respondents also perceived that experiencing the justiciable problem was harmful to their life in general. One third (32.2%) claimed that it destroyed their life, with as much as 57.9% claiming that the harm was severe (5+). The responses indicate that the negative effects people feel as a result of a justiciable problem in their life for the majority of them presents a serious burden, both psychologically and financially, as well as being harmful to their life in general.

Unlike other legal needs surveys, such as Genn's *Paths to Justice*, the Macedonian survey did not incorporate questions to assess whether the resolution of the problem had any positive effects on peoples' lives, such as empowerment, peacefulness from resolving the problem, or ability to exercise one's own rights, for example. Future research should address this gap in order to assess the interplay between negative and positive (if any) effects of sorting out a justiciable problem.

CITIZENS' OPINIONS ABOUT **THE JUSTICE SYSTEM**

In this part we analyze citizens' opinions about the Macedonian justice system and how these opinions are related to experiences with justiciable problems and the socio-demographic characteristics of the respondents. Before we go into a detailed analysis of the attitudes, it is important to note that many of the respondents found it extremely difficult to understand this group of questions. For a significant portion of respondents, the task of agreeing or disagreeing with written statements was strange and difficult to comprehend. Especially the task where it was asked of respondents to assess a hypothetical situation was extremely difficult. Thus, besides the large number of respondents who expectedly (if we assume that people who did not have contact with lawyers or courts have fewer information) did not have an answer when asked to guess the prices of attorney fees (38.9%) and court taxes (44.8%), a significant portion of respondents did not understand the question or had no opinion on the subject for all of the questions that were supposed to reveal their attitudes.

The percentages of respondents who either had difficulty understanding the questions or explicitly stated that they have no opinion on the statement are presented in Table 30. This substantial number of respondents who did not provide an answer to the attitude questions needs to be taken into careful consideration when interpreting the results of this next part of the analysis, especially because the respondents who gave answers and the respondents who did not differed systematically on their socio-demographic characteristics. In general, there was a tendency that women, the older and the less educated respondents were more likely to not state an opinion. The older respondents only proved more "knowledgeable" about the price of fees and taxes and there were some place of residence differences for some of the questions. Respondents

from low-income families were also less likely to answer (or understand) the questions.

Table 30: The Percent of Respondents who Gave no Answer to the Attitudes Questions

Question:	DK/NA
To what extent do you agree or disagree with each of the following statements:	
You feel that the laws and the justice system in Macedonian society are essentially fair	12.2%
If I ever appear as a party in a court procedure, I will receive a fair hearing / justice	19.9%
Judicial system in Macedonia is more fair (works better) for rich people than for poor people	14.6%
Attorneys' fees in Macedonia are reasonable for the work they do	38.9%
The court taxes in Macedonia are decent, reasonable	44.8%
Courts in Macedonia are an important way for ordinary people to enforce their rights	16.6%
Please indicate how likely it is that you would obtain a fair solution if you	
... had a problem with your employer. For example you were dismissed illegally	22.8%
... bought a defective TV from a big retailer	21.6%
... had a conflict with your neighbour. For example, your neighbour is very noisy, throws the garbage too close to your house / apartment	26.1%
... had a dispute with the local authority regarding a building permit	28.4%
... became a victim of domestic violence	28.4%
... borrowed money from to a friend that does not want to return them to you	25.3%

The frequencies of agreement, i.e., disagreement with each statement about the justice system are presented in figure 41. As can be seen from the table, the statement that most of the respondents agreed with is that the justice system is “more fair” for the rich than for the poor. Almost three out of four (72.8%) respondents to some extent agreed that the system works better for the rich. On the other hand, the statement that

most respondents disagreed with is that attorney fees in Macedonia are reasonable. More than half of the respondents (58.4%) disagreed with the statement that attorney fees are reasonable considering the work the attorneys do⁹¹. These two statements indicate that the majority of Macedonians have a negative attitude toward the justice system, especially toward its fairness to poor citizens. However, the majority of the respondents still agreed that the courts are an important means for ordinary people to enforce their rights (more than two in three agreed with this statement) and opinions were somewhat divided on the general fairness of the justice system.

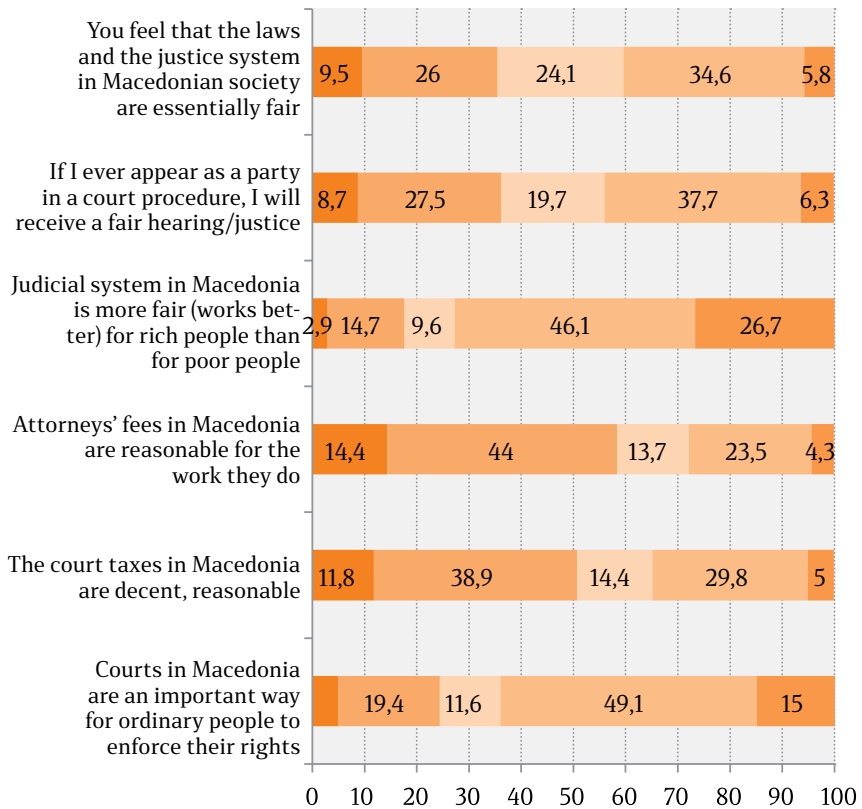


Figure 41: Frequencies of Agreeing or Disagreeing with Statements about the Justice System

The attitudes that assess how much the fairness of the justice system depends on the “other side” in the problem, i.e., the type of the problems that were measured via the hypothetical situations that the respondent could find him or herself in, are presented in Figure 42. As can be seen

⁹¹ However, note that this question was not answered by almost 40% of the sample.

from the charts, respondents believe that they are most likely to get a fair solution when it comes to partner and consumer problems, where the opposite side is a partner or a big retailer.

The problems thought least likely to get a fair solution are problems with employment and housing, where the opposing sides are the employer and the local government, respectively. It is again indicative that even in the cases that are considered likely to get a fair solution by most, as for example for victims of domestic violence, there is one in five respondents that considers it unlikely or very unlikely for the victim to get a fair resolution. For the extreme cases of conflict with an employer or the local government, this is true for almost every other respondent. It is also worth noting here that when it comes to both domestic violence (thought most likely to be solved fairly) and conflict with authorities (though most unlikely to be solved fairly), the number of respondents who did not give an answer or had no opinion was highest (see Table 30).

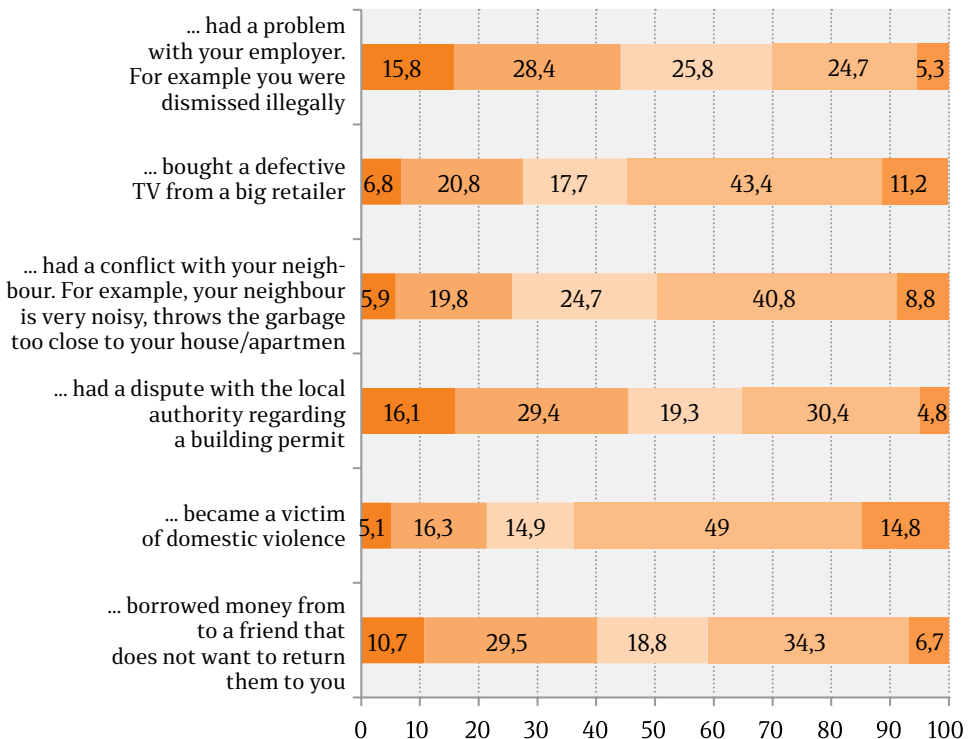


Figure 42: Please Indicate How Likely it is That You Would Obtain a Fair Solution if You...

We performed a factor analysis to investigate whether the response pattern for some questions are similar, i.e., whether agreeing or disagreeing similarly to groups of statements can be deduced to those

questions asking the same general question or revealing one general attitude. We got a three-factor solution, which means that the responses to the statements underlie three general attitudes towards the justice system. The results (the rotated component matrix) are presented in Table 31. The factor analysis is to be interpreted as follows: Statements that are similar, i.e., underlie a general attitude, “load” heavily on the same factor (the factors are presented in columns). To load heavily on the factor, the statement needs to have a high coefficient on it (greater than .5), and low on the others (lower than .3). In our case, statements 1, 2 and 3 load heavily on the second factor and looking at the statements, it can be concluded that this is a general attitude (factor) towards the fairness of the system. This means that, on average, if a respondents believes that the justice system is essentially fair, he or she would also believe that it is just as fair for the rich as it is for poor. If on the other hand she or he believes that the system is more fair for the rich, then he or she would not expect to get a fair trial in the hypothetical situation of a court procedure. Statements 4 and 5 load clearly on the third factor and this is a factor that reveals general attitudes about the expenses related to court procedures. Those who think that attorney’s fees are unreasonable are also likely to think the same for court taxes.

Table 31: Factor Analysis of the Attitudes Questions

Rotated Component Matrix ⁹²	Component		
	1	2	3
To what extent do you agree or disagree with each of the following statements:			
You feel that the laws and the justice system in Macedonian society are essentially fair	.260	.599	.217
If I ever appear as a party in a court procedure, I will receive a fair hearing / justice	.252	.683	.191
Judicial system in Macedonia is more fair (works better) for rich people than for poor people	.188	-.736	.018
Attorneys’ fees in Macedonia are reasonable for the work they do	.066	.072	.835
The court taxes in Macedonia are decent, reasonable	.084	.159	.824

92 The 3 factors explained 52% of the variance in answers

Courts in Macedonia are an important way for ordinary people to enforce their rights	.285	.392	.317
Please indicate how likely it is that you would obtain a fair solution if you			
... had a problem with your employer. For example you were dismissed illegally	.383	.499	.153
... bought a defective TV from a big retailer	.713	.082	.036
... had a conflict with your neighbour. For example, your neighbour is very noisy, throws the garbage too close to your house / apartment	.686	.226	.038
... had a dispute with the local authority regarding a building permit	.443	.538	-.062
... became a victim of domestic violence	.681	.117	.113
... borrowed money from to a friend that does not want to return them to you	.662	.102	.131
Note: Extraction Method: Principal Component Analysis. Rotation Method: Varimax with Kaiser Normalization.			

Statements 8, 9, 11 and 12 load heavily on factor 1 and this factor represents the likelihood of obtaining a fair solution when faced with a justiciable problem. Factor 1 and 3 sound similar, but the factor analysis reveals that answering patterns to these statements is somewhat different⁹³.

What is interesting, though, is that statements 6, 7 and 10 do not load clearly on any of the factors. So while respondents believe that it is similarly likely (or unlikely) to get a fair procedure for consumer, housing (neighbor), partner and money problems (depending on how they view the fairness of the justice system), this is not the case for problems with governments and employers. This is especially interesting because those were the types of problems that respondents found most difficult to solve in real life, i.e., that saw cases most difficult to resolve and where respondents were generally more reluctant to act. This is also true for the statement “*Courts in Macedonia are an important way for ordinary people to enforce their rights,*” which cannot be clearly classified in any of the factors.

93 Single factor constraint explains only 31% of the variance in answers

However different, the factors still measure similar concepts and it was possible to create a single scale that measures whether the respondent has a positive, neutral or negative attitude toward the justice system. The scores on the scale were calculated as a mean value of the answers on all the questions except for question number 3, which had to be recoded because it was stated inversely. The scale has a good reliability (Cronbach's alpha = .80) and the respondents' scores covered the whole range in a perfect normal distribution. It was thus possible to divide the respondents in four (similarly sized) groups, where the first had very negative attitudes (on average disagreed with the statements,⁹⁴ i.e., thought that fair solutions were unlikely), those with somewhat negative attitudes (on average below the middle (neither nor), but close to it), those with somewhat positive attitudes (average above middle, but close to it) and those with very positive attitudes (on average agreed with the statements,⁹⁵ i.e., thought that fair solutions were likely). Respondents who had a perfect middle score, along with the ones that did not answer a single attitude question were excluded from further analysis. The sample was thus reduced to 2,535 respondents included for further analysis.

ATTITUDES AND SOCIO-DEMOGRAPHIC CHARACTERISTICS

In all the groups there were more men (because women were less likely to answer the attitude questions and were thus excluded in large numbers from the analysis), but while in the two middle categories the differences are not significant (51% and 52%), men are more likely to have very negative attitudes (55% were men in the very negative group), while women very positive attitudes (46% men in the very positive group, even though 51% were men in the overall sample).

The respondents in the very negative attitudes group are on average 4 years older than the other groups, and ethnic Albanians are more likely to have negative attitudes than Macedonians. Respondents with low educational attainment are also more likely to have negative attitudes, much like the unemployed (especially compared to the employed) respondents.

Respondents from low-income families were also more likely to have very negative attitudes.

94 But agreed with statement 3

95 But disagreed with statement 3

ATTITUDES AND EXPERIENCE WITH JUSTICIABLE PROBLEMS

Perhaps one of the most important findings of the study was that attitudes were significantly more negative among those respondents who had more experience with justiciable problems. While in the group with very positive attitudes only 38% experienced a justiciable problem, this was true for 46% of the respondents in the somewhat positive attitudes, 58% in the somewhat negative attitudes and 61% in the very negative attitudes group. In sum, people that have experienced a justiciable problem are more likely to have negative attitudes toward the justice system.

Negative attitudes are not only related to the experience of a justiciable problem (or lack thereof), but they are also related to the number of justiciable problems. While in the very positive attitude group respondents have experienced 0.6 justiciable problems on average, i.e., significantly less than 1, in the very negative attitudes group they have experienced 1.6 justiciable problems, i.e., significantly more than 1. This tendency for negative attitudes among the respondents who have experienced a justiciable problem is true for all specific problems except for problems with partners, education and owning rented property. Encountering any other type of problem increases the likelihood of negative attitudes toward the justice system.

ATTITUDES AND PATHS TO JUSTICE

It is interesting that among the respondents who have experienced a justiciable problem, those with very positive attitudes (55%) are less likely to have taken an active measure to solve their problem than those with very negative attitudes (72%). This is somewhat surprising, because one would expect people with negative attitudes to be more passive toward solving a justiciable problem, since they do not believe they would get a fair hearing. This perhaps indicates that the problem precedes the attitude, i.e., that the experience of an attempt to solve a justiciable problem causes the negative attitude.

Further evidence that negative experience might cause negative attitudes is the fact that among respondents who are trying to solve a justiciable problem there is no difference in finished and ongoing problems among the groups with different attitudes, so there is no bias in the groups (people with positive attitudes do not have a higher percentage of finished problems), but among those who have finished problems, people that judged the outcome unsuccessful are more likely to have a negative attitude. While in the very negative attitude group 73% judged the outcome

unsuccessful, only 44% judged it unsuccessful in the very positive attitude group. However, among those with finished justiciable problems (and as mentioned above, with justiciable problems in general) there are much more (twice as much) people with negative than with positive attitudes.

Even though people with positive and negative attitudes are equally likely to have unfinished justiciable problems, people with negative attitudes judge the chances of getting what they wanted when they started solving the problem much lower than people with positive attitudes. This means that either the ongoing processes experienced by people with negative attitudes are more complicated and discouraging or people with negative attitudes have more pessimistic views (which is logical), but evidence shows that their views might be based on experience, since at the beginning of a problem the respondents with negative attitudes were even more likely to pursue justice than those with positive attitudes.

Even though the respondents in general are of the opinion that cases against authorities and employers are more difficult to solve, attitudes among people that have actually faced the authorities and employers are no different. The attitudes toward the justice system are equally negative when people face relatives, private organizations or people unrelated to them as their “opponents”.

BIBLIOGRAPHY

Alonso, J., Anto, J. M., & Moreno, C. (1990). Spanish version of the Nottingham Health Profile: translation and preliminary validity. *Am J Public Health, 80*(6), 704–708.

Currie, A. (2005). *The Legal Problems of Everyday Life: The Nature, Extent and Consequences of Justiciable Problems Experienced by Canadians*. Ottawa, Ontario: Department of Justice of the Government of Canada.

Ellison, S., Schetzer, L., Mullins, J., Perry, J., & Wong, K. (2004). *Access to Justice and Legal Needs: The Legal Needs of Older People in New South Wales*. Sydney Law and Justice Foundation of New South Wales.

European Commission. (2012). *Commission Staff Working Document the Former Yugoslav Republic Of Macedonia 2012 Progress Report*. Brussels: EUROPEAN COMMISSION

Felstiner, W., Abel, R., & Sarat, A. (1981). The Emergence and Transformation of Disputes: Naming, Blaming, Claiming ..., *Law and Society Review, 15*(3/4), .

Genn, H., Beinart, S., Finch, S., Korovensis, C., & Smith, P. (1999). *Paths to Justice Scotland: What People in Scotland Do and Think About Going to Law*. Oxford - Portland Oregon: University College London.

Korunovska Avramovska N., Cvetkovik, I., Maleska, T., Hadzi-Vasileva, K., & Korunovska Srbijanko, J. (2012). *Scoping study on gender based violence against women and girls in the urban public spaces in the City of Skopje*, . Skopje: Reactor.

Lardent, F. E., Pritchard, G., ;, Morrison, B., & Muskie, S. (1994). *LEGAL NEEDS AND CIVIL JUSTICE: A Survey of Americans Major Findings from the Comprehensive Legal Needs Study*. In A. B. Association. (Ed.). Chicago, Illinois American Bar Association.

Maleska, T., Korunovska-Avramovska, N., & Korunovska-Srbijanko,

J. (2012). *Finding the Key to the Glass Door: Demystifying the Reasons for Women's Low Participation in Labor Market* Skopje Reactor.

Najcevska, M., & Imeri, L. (2012). *Shadow report for shadowed commission: Report on the Commission for Protection against Discrimination's Performance in the First Year of Operation*. Skopje: Foundation Open Society - Macedonia.

Pleasence, P., Balmer, N., & Buck, A. (2006). *Causes of Action: Civil Law and Social Justice*. London: Legal Services Research Centre.

Pleasence, P., Balmer, N., Patel, A., & Denvir, C. (2010). *Civil Justice in England and Wales 2009*. London: Legal Services Research Centre.

Pleasence, P., Balmer, N., Tam, T., Buck, A., Smith, M., & Patel, A. (2008). *Civil Justice in England and Wales*. London: Legal Services Research Centre.

Royal Commission on Legal Services in, S. (1980). *Report / Royal Commission on Legal Services in Scotland, chairman, Lord Hughes*. Edinburgh: H.M.S.O.

State_Statistical_Office. (2012). *Public Institutions for Care and Education of Children – Kindergartens*. Skopje: State Statistical Office.

Trebilcock. (2008). *Report of the Legal Aid Review 2008*. Ontario: Ministry of the Attorney General.

ANNEX 1

DETAILED LIST OF JUSTICIABLE PROBLEMS AND THEIR INCIDENCE

CONSUMER PROBLEMS	NO	YES
Problem with goods or services (Consumer fraud/ defective products/ fake guarantee)	90.2	9.8
Signed a contract without understanding it, not being able to get out of the contract after having second thoughts, or getting into a serious dispute about what a contract required?	95.3	4.7
Spend money to buy something or have some work done and then find you didn't get what you paid for <u>and</u> the seller or contractor failed to make things right?	95.4	3.8
Problems with a loan that you found out later had really harsh terms for repayment or an extremely high interest rate like a car title loan, a payday loan, or consolidation loan?	97.5	2.5
Problem with a safety of a product, and the seller would not repair, replace or take back the product	97.0	3.0
Unfair enforcement of debt		
EMPLOYMENT PROBLEMS		
Problems getting paid, overtime pay, vacation pay, redundancy pay	89.5	10.5
Working under no contract (obtaining employment insurance)	93.9	6.1
Working conditions (unsatisfactory or dangerous)	95.1	4.9
Work related discrimination (such as hiring or promotion)	96.7	3.3
Losing a job or a treat of losing a job	96.2	3.8
Harassment at work bullying or mistreatment at work	97.1	2.9
Being refused rights (Maternity pay, paid holiday, sick leave)	97.3	2.7
Unfair disciplinary procedure	98.6	1.4
Unemployed discriminated ⁹⁶	81.7	18.3
HOUSING/PROPERTY PROBLEMS		
Alteration to property, or planning permission	93.2	6.8

96 From the 33% of the unemployed that were looking for a job

Communal repairs or maintenance	97.7	2.3
Problems or dispute with neighbours (noise, common expenses, boundaries, access, privacy or other abuse of property)	96.3	3.7
Homelessness (A time when you were homeless, or moved in with friends because you didn't have a place to live)	99.7	0.3
Getting or keeping utilities like telephone, water, electricity, heating, internet	93.2	6.8
Getting incorrect or disputed bills?	92.2	7.8
Parking problems	95.7	4.3
Being a several mortgage payments in arrears or closure of mortgage	99.7	0.3
Denationalization	97.5	2.5
Legalization	96.1	3.9
Buying socially owned property	98.5	1.5
Repossession of the home	99.6	0.4
Buying or selling a house/apartment	99.6	0.4
RENTED PROPERTY/OWNERS PROBLEMS		
Repeated non payment of rent	88.7	11.3
Unpaid destruction of property (repairs, return of deposit or early abandonment)	97.7	2.3
Bills array	90.2	9.8
Not being able to evict the tenant(s)	99.2	0.8
Tenant sub-renting the property	100	0.0
Problems with real-estate agencies	100	0.0
RENTED PROPERTY/TENANTS PROBLEMS		
Poor or unsafe living conditions	90.1	9.9
Getting a deposit back	98.5	1.5
Being several rent payments in arrears	97.7	2.3
Getting other people in the accommodation to pay their share of the bills	96.9	3.1
Getting the landlord to do repairs or provide other services	92.4	7.6
Harassment by the landlord	91.6	8.4

Being evicted or treated with eviction	96.2	3.8
Getting the landlord to provide a written lease	95.4	4.6
Neighbours, disputes about noise, boundaries	96.2	3.8
Problems over arbitrary changes to your rent	98.5	1.5
PROBLEMS WITH MONEY		
Repayment of money owed to you (collecting a debt)	91.7	8.3
Problem paying a loan, bill or debt	95.9	4.1
Dispute about credit reference rating/ Unfair refusal of credit	98.9	1.1
Problem with actual or possible bankruptcy	99.4	0.6
Problem as guarantor for someone else	98.6	1.4
Disputed (repeated) penalty charges by banks or utilities	99.0	1.0
Unreasonable harassment by creditors	99.1	0.9
Division of inheritance	98.7	1.3
Severe difficulties managing money	98.2	1.8
Unfair recouperment of disputed debt (such as with executor)	98.2	1.8
PROBLEM WITH GOVERNMENT TRANSFERS AND SERVICES		
Access or entitlement to welfare benefits	98.7	1.3
Access or entitlement to pension benefits, including amount of pension	98.8	1.2
Access or entitlement to unemployment benefits, including the amount of the transfers	99.5	0.5
Access or entitlement to child related benefits (one off assistance, 3 rd child allowance)	99.5	0.5
Access or entitlement to state aid in agriculture	96.8	2.9
Access or entitlement to social protection (home care, child allowance, part-time benefits)	99.5	0.5
Entitlement to health benefits, including access to treatment and medicine	99.1	0.9
Access to state supported credits (home, agriculture, ect.)	99.8	0.2
Amount of student benefits and/or aid (credit, scholarship, books, dormitory)	99.5	0.6

Access to state agriculture land	99.9	0.1
Electricity assistance	99.8	0.2
Problem accessing government disability: aid, care or services or non financial ass.	99.5	0.5
Fines (not traffic related) that you have challenged or tried to challenge	99.8	0.1
Disputes over taxes or other costs charged by the government	99.8	0.2
Problem with Freedom of Information request	99.6	0.4
Entitlement to other state aid (renewable energy sources)	100	0.0
Access or entitlement to state aid for rural development	99.8	0.2
Access or entitlement to state aid for fisheries and aquaculture	100	0.0
PROBLEMS WITH EDUCATION		
Unfair exclusion or suspension from a school or educational institution.	99.0	1.0
A problem with education fee	96.7	3.3
Being forced to buy books or any other form of corruption	85.2	14.8
Mobbing or harassment at school	99.0	1.0
Unfair treatment by professors	93.2	6.8
PROBLEMS WITH PARTNERS		
Disputes over division of money, pensions or property after divorce or separation	99.9	0.1
Difficulties getting or paying maintenance for self/former partner (excluding children)	100	0.0
Violent or abusive relationship with a partner	99.5	0.5
Divorce or Separation	99.3	0.7
CHILDREN RELATED PROBLEMS		
Problem about receipt or payment of child support	99.2	0.8
Problem about fostering, adoption or legal guardianship of children	99.7	0.3
Child taken into care/placed on child protection register	100	0.0
Access or residence (contact and custody) arrangements for children and visits	99.8	0.2

Children being unfairly excluded or suspended from school or kindergarten	98.0	2.0
Serious concerns over the safety of a child while at school/ kindergarten or on school trips or child/ person bullied/ harassed at school	98.4	1.6
Abduction or threatened abduction of children by other parent or family member;	99.8	0.2
Children receiving an appropriate education (e.g. special needs)	98.2	1.8
PROBLEMS WITH HEALTH		
Injury/accident or health problem at work	98.5	1.5
Injury/accident or health problem in a public space/bulding	99.5	0.5
Injury/accident or health problem in a traffic accident	98.9	1.1
Problems with accessing appropriate health care	97.7	2.3
Harm done to you while under care of health professionals (doctors, dentists or physiotherapy)	99.2	0.8
Violations of patients rights	98.7	1.3
Environmental health problems	99.4	0.6
PROBLEMS WITH POLICE AND OTHER PROBLEMS		
Experienced unfair treatment by police (harassment, improper search or seizure, etc.)	97.0	3.0
Denied exit at the boarders or otherwise unfair restriction of movement	99.7	0.3
Police failing to investigate a crime	99.5	0.5
Defamation	98.8	1.2
Victim of crime	99.5	0.5
Privacy violation	99.5	0.5
DISCRIMINATION		
Age	99.1	0.9
Sex	99.8	0.2
Sexual orientation	100	0.0
Ethnicity	97.1	2.9
Religion	99.3	0.7

Disability	99.8	0.2
Political affiliation	97.7	2.3
Having children	99.9	0.1
Marital status	99.9	0.1

