UNIVERZA V LJUBLJANI

FAKULTETA ZA DRUŽBENE VEDE

Jovan Bliznakovski

‘Jezikovna politika v Makedoniji’

‘Language Policy in Macedonia’

Magistrsko delo

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Abstract

The master thesis focuses on language policy developments regarding linguistic minorities in the Republic of Macedonia (1991-2013). The thesis uses Kymlicka's framework on liberal pluralism as a starting point (Kymlicka 1995) and considers the input from normative political theory of language policy (Patten 2001, Pool 1991, Van Parijs 2002) as a theorethical background upon which the study is built. It is claimed that nationalist ideology is instrumental in the process of definition of the contents of the changes which the Macedonian language-use regime went through during the past two decades. The influence of the nationalist discourse is traced through the changes of the legal framework relevant for the period in question, as well as through the actions and expressed stances of political parties. The analysis considers the impact of the Ohrid Framework Agreement (OFA, 2001) at both legal and political level in regard to use of language. It is concluded that the model of the Macedonian language-use regime combines linguistic rights with both personal and territorial logic to promote the use of minority languages in the public sphere. This feature is coupled with a clear intention in the legal framework to keep a demarcation between the language of the titular group and all others in two important dimensions: scope of use and symbolic importance. The thesis overviews this situation through a three-layered structure of the Macedonian language-use regime which enforces different benefit for individuals from different communities. It is assessed that this "arrangement" is not consistent with the needs and expectations of the Albanian community in Macedonia, especially in relation to the interest of symbolic affirmation (Patten 2001). This is used as evidence of the overall influence of nationalist ideology towards the adopted legal solutions. Additionally, the actions of political parties indicate strong prevalence of nationalist ideology regarding language-use issues. This is assessed through five case-studies related to important events which marked a change in the language-use regime. The stances of the largest political parties from the ethnic-Macedonian and the ethnic-Albanian blocs, according to seats in Parliament, are overviewed in the framework of the case-studies. The obtained data is used to characterize the role of political parties through a "non-nationalism" test (adapted from Pickering 2009). It is concluded that although political parties might agree on changes in the language-use regime their exclusive concern is for the status of the language of the groups which they represent. The study concludes that the language-use regime and the actions of political actors do not indicate acceptance of multicultural values over issues of language policy. Rather, the ideology of nationalism can be regarded as an important factor when overviewing language policy developments in Macedonia.

Key words: language policy, Macedonian politics, Ohrid Framework Agreement, nationalism, multiculturalism.

Jezikovna politika v Makedoniji

Povzetek

Magistrsko delo se osredotoča na razvoj jezikovnih politik jezikovne manjšine v Republiki Makedoniji (1991–2013). Kot izhodišče uporablja Kymlickin okvir liberalnega pluralizma (Kymlicka 1995) ter kot teoretično osnovo, na kateri je študija zgrajena, predstavlja normativno politično teorijo jezikovne politike (Patten 2001, Pool 1991, Van Parijs 2002). Ta studija razlaga, da je nacionalistična ideologija imela vodilni pomen v procesu opredelitve vsebinskih sprememb, skozi katere je šel v zadnjih dveh desetletjih režim uporabe jezika. Vpliv nacionalističnega diskurza je opaziti v spremembah pravnega okvira, ki so pomembne za določeno obdobje, kot tudi v ukrepih in izraženih stališčih političnih strank. Analiza upošteva vpliv Ohridskega okvirnega sporazuma (OFA, 2001) v zvezi z uporabo jezika, tako na pravni, kot tudi politični ravni. Ugotovljeno je, da model ureditve rabe makedonskega jezika združuje jezikovne pravice tako z osebno, kot tudi teritorialno logiko za spodbujanje uporabe jezikov manjšin v javni sferi. Ta funkcija je povezana z jasnim namenom umestitve v pravni okvir za ohranitev razmejitve med jezikom glavne skupine in vseh drugih jezikov v dve pomembni dimenziji: obseg uporabe in simbolni pomen. Teza opisuje to stanje skozi trislojno strukturo režima rabe jezika, ki uveljavlja drugačno korist posameznikov iz različnih skupnosti. Ocenjuje se, da ta "ureditev" ni v skladu s potrebami in pričakovanji albanske skupnosti v Makedoniji, zlasti v zvezi z obrestmi simbolne afirmacije (Patten 2001). Ta se uporablja kot dokaz o celotnem vplivu nacionalistične ideologije na sprejete zakonske rešitve. Poleg tega ukrepi političnih strank kažejo močno razširjenost nacionalistične ideologije v zvezi z vprašanji rabe jezika. To se oceni preko petih študij primerov, povezanih s pomembnimi dogodki, ki so zaznamovali spremembo režima rabe jezika. Enotno mnenje največjih političnih strank iz etnično-makedonskih in etnično-albanskih blokov, v skladu s sedeži v parlamentu, je izraženo v okviru študij primerov. Pridobljeni podatki se uporabljajo za opredelitev vloge političnih strank in so ocenjeni s pomočjo “testa nenacionalizma” (prilagojen po Pickeringu 2009). Ugotovljeno je, da je njihova izključna skrb namenjena statusu jezikovnih skupin, ki jih predstavljajo, čeprav bi se politične stranke lahko dogovorile o spremembah režima jezikovne rabe. Študija ugotavlja, da jezik, režim uporabe in dejanja političnih akterjev ne kažejo na sprejetje multikulturnih vrednosti nad vprašanjem jezikovne politike. Prej lahko ideologijo nacionalizma vidimo kot pomemben dejavnik pri pregledovanju napredka jezikovnih politik v Makedoniji.

Ključne besede: jezikovna politika, makedonska politika, Ohridski okvirni sporazum, nacionalizem, multikulturalizem

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Introduction

This thesis focuses on language policy developments regarding linguistic minorities in the Republic of Macedonia (1991 – 2013). It is claimed that nationalist ideology is instrumental in the process of definition of the contents of the changes which the Macedonian language-use regime went through during the past two decades. Ideology is primarily assessed as a belief system that a group holds over a specific sphere of social life, that is language (Heath 1977). Furthermore, language ideology is also considered as embedded in a larger social structure (Woolard and Schieffelin 1994, Irvine 1989, Silvestein 1979). The issue of identity-recognition is also considered (Taylor 1994, Kymlicka 1995) as language is viewed as an aspect of individual and collective identity.

Nationalist ideology is further placed in a specific context. Macedonia was the only state from the former republics of socialist Yugoslavia which broke away from the Federation without war with the authorities in Belgrade. It was the first time for the Macedonians to achieve complete self-rule, and for some it was a fulfillment of a long awaited dream. But, at the very onset, independence was filled with uncertainties. The JNA (the Yugoslav army) emptied all the barracks on the Macedonian territory of all weapons and machinery and left, so the state had to start its army from "scratch". The southern neighbor, Greece, objected the name "Republic of Macedonia", the flag which the state adopted, claiming that both belong to its own cultural heritage. Moreover, Greece advocated that the name of the state obscures irredentist aspirations towards a part of its own state – Greek Macedonia, the north part of Greece – and objected Macedonian entrance in the UN under the constitutional name. Some intellectuals from the eastern neighbor, Bulgaria, objected the language that Macedonians use, and claimed that it is a variant of Bulgarian. This was generally understood by Macedonians as an official Bulgarian policy towards Macedonia, even though Bulgaria was the first state to recognize the newly independent state. Moreover, Macedonia has multiethnic composition of population. About a quarter of all population is ethnic Albanian – uses different language than the dominant group and is pre-dominantly Muslim, while ethnic Macedonians are most often from Orthodox Christian religious provenience. The ethnic Albanian population is mostly located in the north-western part of the Macedonian state, which borders with Albania on the west and with Kosovo

on the north. The existence of a large minority on the territory which borders with a kin state further complicated things in the eyes of ethnic Macedonians which feared of irredentist aspirations by the western neighbor.

Thus, the future of the new state which broke away from Yugoslavia in early 1990s without war was by no means certain, at least not until 1994 when Macedonia was accepted as a member in the UN under the provisional name "the former Yugoslav Republic of Macedonia", which was found acceptable by the Greek side. The first years of independence were characterized by fierce battle for international recognition of the newly established state (Malevski 2012).

In this kind of situation, Macedonian nationalism was mainly defensive and distrustful towards the neighboring states and peoples. This contemporary distrust was coupled by a typical historical narrative at official state level (also found in education) which read that the territory of "ethnic Macedonia" of "geographical Macedonia" was once partitioned by the neighboring states Greece, Bulgaria, Serbia and Albania[1]. Brunnbauer refers to this as a "mythological narration of victimization" (2003, 161) which dominates contemporary Macedonian historiography.

Regarding language, Macedonian nationalism was engaged in a two-fold way: a) in the defense against Bulgarian and other nationalisms which rejected Macedonian as a separate language; b) in defense of the supremacy of Macedonian within (mainly directed against Albanian nationalism which demanded broader use of Albanian in the public sphere). In this thesis, I will be viewing more closely the second engagement of Macedonian nationalism regarding language – the one that focused on the internal relations within the state.[2]

Albanian nationalism in Macedonia, on the other hand, was very pro-active and was directed at raising the rights of the Albanian minority within the framework of the state or even outside its framework. During the 1990s, the Albanian community constantly articulated its demands for a higher status, which in some forms extended to demands for autonomy and federalization of the

[1] On the history of Macedonia and the Macedonians, and the referred "partition" see Rossos (2008), especially *Part III – Strangers in their homeland*.

[2] Additionally, the reader may overview the following articles: Friedman (2003a) focuses on the link between contemporary languages in Macedonia and identity; Irvine and Gal (2000) employ a theoretical model to view the role of language ideologies during the Balkan wars, also focused on Macedonia; Weiner in an article titled "The Macedonian syndrome" (1971) develops a theoretical model for international relations and political development according to the events of the Balkan wars.

state, or in extreme variants for secession of the north-western part in a separate entity[3]. Regarding language, the Albanian community also called for a better status regarding the use of Albanian, mainly use in higher education (Albanians in Macedonia had right of instruction on mother tongue in primary and secondary state-sponsored education) and also official use on the state level in equality with the use of Macedonian[4]. These demands were preluded with a decline of Albanian status during and after the breakup of Yugoslavia (Tollefson 1993, 83).

The two nationalisms had different understandings of the character of the state and promoted "two different concepts of what is Macedonia and who are the Macedonians" (Adamson and Jović 2004, 306). While the titular group saw the state as its own, and saw any raising of the status of the minority group as a threat of the state's survival, the elites from the minority group "constructed a link between the lack of an appropriate collective status and subordination" (Ibid., 303). This most broad disagreement further "fueled" disagreements and clashes in all subordinated spheres.

Macedonia suffered a major ethnic conflict in 2001[5]. The conflict was "steered" by the National Liberation Army (NLA) which claimed to represent Albanian people on the broadest level and the security forces of the Macedonian state, mainly dominated by ethnic Macedonians. The culmination of the conflict came when high-scale fighting occurred at the outskirts of the town Tetovo (30 km of the Skopje capital) and in one of the biggest villages near the Skopje capital, Aračinovo. At first, the Macedonian Government attempted to halt the rebel group through a use of force. As this was at times unsuccessful, the Macedonian state began to "shake" internally as parts of the territory were controlled by the NLA. A National Unity Government was created in which all major political forces entered, as a first step towards the resolution of the conflict. During August 2001 the leaders of four biggest political options[6] from the Macedonian and the

[3] It is considered that the first census in independent Macedonia in 1991 was boycotted by the members of the Albanian minority. Afterwards the Albanian community in Macedonia organized a referendum on the establishment of the "Republic of Ilirida", envisioned as a separate entity of Macedonian Albanians. This referendum was not recognized by the Macedonian state.

[4] On the standardization of Albanian in Yugoslavia and available linguistic rights for the Albanian minority within the Yugoslav framework see Byron (1985).

[5] For more information on the 2001 armed conflict and it resolution, see Balalovska et al. 2002.

[6] The four biggest political parties at the time, two ethnic-Macedonian (VMRO-DPMNE and SDSM) and two ethnic-Albanian (DPA and PDP). The primary characteristic of the Macedonian political spectrum is that it is ethnically-divided (see Chapter IV for details).

Albanian bloc negotiated the Ohrid Framework Agreement (OFA)[7], with an engaged mediation from the US and EU's special envoys[8]. The OFA was the document that halted the armed conflict while anticipating over-reaching legal changes that would promote the status of minorities.

Language was an important part of the OFA-reform. The Albanian language received rights of official use at national level and liberalized conditions for use at local level as a result of the regime-change. Moreover, university education in the Albanian language was also introduced. This whole "arrangement" represented a satisfying solution for the Albanian community in Macedonia, even though this satisfaction was not really consistent.

The model which was employed regarding language use is very specific. Numerical requirements of 20% were placed forward for the realization of the right of official use and the right of higher education. The Albanian language remained "un-pronounced" in the legal framework, while the Albanian community was referred as to the "non-majority community with 20% of the population". As advocated in this study, ideology played a significant part in the concretization of this terminology.

Moreover, it seems that the employed model is still not completely accepted as there are numerous disputes between the two largest ethnic groups regarding language use. The Constitution, the laws and the OFA are divergently interpreted by the representatives of the groups. Ideological standpoints are delimited, on most basic level, as ones which go pro- and other which go contra- the established language-use regime, but standpoints between groups begin from different assumptions. What is common in both groups, and what I intend to show here, is that the nationalist belief system prevails, and this is well visible in the exclusive concern of groups for the status of their own language.

*****

The objective of this study is to provide a case-specific understanding of developments over language policy with a focus on *internal factors*. Two specific factors are of interest:

[7] The OFA was signed on 13.08.2001.
[8] The role of the EU has been especially regarded as positive and as the first successful application of the EU conflict management system, see Schneckener, U. (2002) and Markovic et. all (2011).

1. The *contents* of the language-use regime, more precisely the contents of accepted or disputed language-use regime change (i.e. what is good language policy as enshrined in the legal framework, or as proposed in the change to the legal framework).
2. Political *ideology* over use of language (i.e. what is a good language policy in the eyes of groups or political entities as their representatives).

It is claimed that, to some extent, the regime change is a function of ideology. One of the goals of the study is to debunk the role of ideology in this context.

For this to be achieved, a three-step analysis is conducted and presented on the following pages:

1. Analysis of content of the legal framework for minority language use while identifying the most important changes which occurred in the 1991-present day period.
2. Analysis of the characteristics of the language-use regime in both periods, while relying on widely accepted theoretical classifications, as well as the notion of benefit for various groups by the placed regime.
3. Analysis of ideological stances of political actors over language policy issues in the 1991-2011 timeframe.

It is considered that these three steps are logically interconnected and that there is sound relation between ideology and the contents of regime change. The analysis of the legal framework as step one, allows us to conceptualize the Macedonian model of minority language use (with a view on benefit) in step two. Both first steps provide us with a solid background to view the ideological stances of political actors in step three, as the context of the regime change will have to be included in the deliberation of the party-specific belief systems.

Structurally, the master thesis is organized as follows:

Chapter I presents the overall value orientation and the theoretical approach of the study, as well as the used concepts.

Chapter II presents the findings from the analysis of the legal framework.

Chapter III connects the findings from the legal framework analysis to widely accepted theoretical classifications to derive understanding of the specific model. The level of benefit for groups from present-day-standpoint is also discussed.

Finally, Chapter IV presents the findings from the analysis of standpoints of political actors with reference to their pre-defined nationalist or non-nationalist orientation.

The concluding chapter summarizes the findings in support of the argument.

Chapter One – The official language problem: definition, sources, consequences

The population of most states in the world is constituted by more than one linguistic community. These communities can be basically understood as groups of individuals which share the same language in their everyday interaction. It is considered that there are more than 6900 languages in the world at present day (Lewis 2009), while the largest governmental organization in the world – the United Nations – currently has 193 member states[9]. Thus, not all languages have a state and linguistic diversity within states is overwhelming. This consideration opens a starting issue: what to do with those languages which are not protected by states? Should they be preserved or should they be left to the homogenizing pressures of the nation-state and the global processes? Is it fair to ask from minority groups to abstain from the use of their own mother tongue in various social spheres for practical, symbolical or any other consideration? The fact is that states will undoubtedly discriminate against some minority groups on their territory as it is impossible to include all languages in the communication with the state or in state-sponsored education, as two most prominent spheres of states' acting where language is important.

Post-1991, minority groups have been largely mobilized in Central Eastern Europe and in former socialist Yugoslavia as a result of the outlined considerations. Some groups have found that the state has been unjust towards the use of their language and have demanded policies which would promote their own languages. Some groups have been more successful than others in this endeavor.

Historically, early nation-states in Western Europe have been built around the ideal of homogeneity according to the image of the titular nation (Anderson 1991, Gellner 1983, Hobsbawm 1990). Gellner has described the political principle of nationalism as one which holds that "the political and the national unit should be congruent" (1983, 1). Early nation-states have relied on this ideal to provide a uniform nation where a shared language plays an important role in self-identification, the "imagining" of the nation (Anderson 1991). The building of the nation-states in subsequent phases has also followed this ideal. But, the attempts of the groups claiming

[9] See *Growth in United Nations Membership, 1945-present.*

the titular nation have often been restricted by the interests of the smaller groups to provide protection and promotion of their own languages. With the fall of the "Iron Curtain" identity disputes within newly liberal nation-states have exploded in various variants – language as a mean of identification has thus gained ground as an important point of conflict between the majorities and the minorities. The first group – the majority – generally pushes for achievement of linguistic homogeneity within the nation-state, while the second group – the minority – generally pushes for the promotion of diversity. Within this general framework, which takes into account two types of pressures which either aim towards linguistic homogeneity or diversity, nation-states pursue policies that target the linguistic environment. But, why push for diversity from a theoretical point of view? Two general considerations are outlined below.

Why promote diversity? Input from theory

Liberal pluralism as a starting point

The deployment of policies that promote linguistic diversity, and which are favorable from the point of view of linguistic minorities, often comes in the form of assigning so-called *group-differentiated* or *collective rights*. The political ideology of liberalism has promoted the supremacy of the individual at its core, rather than collectives, and has maintained a largely skeptical view towards the idea of assigning such rights. The debate within multiculturalism (or a certain branch of liberalism known as liberal pluralism) has acted upon the mentioned 'skepticism' and has brought closer the liberal understanding of liberty and equality with the idea of assigning 'group-differentiated' rights. Because we will be dealing in this study with language policies that promote the position of minority groups within a liberal nation-state, I will rely on the theoretical input of liberal pluralism to provide a justification for the introduction of such policies. This view is most commonly associated with the works of the theoretician Will Kymlicka and most notably with his *Multicultural Citizenship* (1994).

Kymlicka maintained that from the surface, group-differentiated rights "seem to reflect a collectivist or communitarian outlook, rather than the liberal belief in individual freedom and equality… (while he also claimed that) …this is a misperception" (1994, 34). To this *misperception* he also provided an alternative. The key concept behind this approach is *societal culture*, most basically defined as a world-view which provides individuals with a value over the choices they make.

Kymlicka historically defined societal culture as a feature of modernity, and conceptually as "a culture which provides its members with meaningful ways of life across the full range of human activities… encompassing both public and private spheres" (Ibid., 76). A societal culture is such a category which gives us "options, but also makes them meaningful to us" (Ibid., 83). And most crucially, a societal culture equips the individual with a *context of choice* – and at this precise point individual choice and cultural membership are explicitly connected in an attempt to reconcile group-differentiated rights with the liberal notion of liberty and equality.

Thus, the understanding of the individual of what represents a good life, good society, or even a good language policy cannot be considered as created in a *social vacuum*, but rather contextually and per se, as a culturally-derived attitude. States are biased when it comes to the variety of societal cultures presumably found in society and often will and have favored one societal culture rather than other. This "fact" paves the way for the employment of group-differentiated rights – they are needed for the same reason stressed by traditional liberals as a point of rejection – to provide individuals with an equal position, according to the liberal understanding of liberty and equality. Ultimately, Kymlicka proposes that "the sort of freedom and equality which matters most to people is freedom and equality within one's societal culture" (Ibid., 93). In these terms, individual choice and cultural background are quite explicitly connected in an argument aimed to provide a rationale for the assignment of group-differentiated rights within the framework of the political philosophy of liberalism. It is needed to emphasize that linguistic rights are most commonly of a group-based kind, although they target individuals, but only those individuals who are tied to specific linguistic communities.

On the ground set by liberal pluralism and the theory of multiculturalism, there have been some theoreticians whose efforts were directed in the exploration of language policy from the point of view of normative political theory. I refer to three particular articles in this part of the study (Patten 2001, Pool 1991 and Van Parijs 2001). What they clearly point out and what is important for my purpose here is the critique of the theme of *state disengagement* over issues of language policy. This critique is generally directed towards the thought of traditional liberalism. Traditional liberalism has opted for state neutrality over issues of diversity as it has successfully sustained the problem of religious diversity which has been the prime source of armed conflicts in pre-revolutionary Europe. This satisfaction with the solution regarding religious diversity is at

the core of the critique of liberal pluralism and, as it will be argued, especially in the area of linguistic diversity – neutrality is not a possible solution. That simple fact that goes in support of this notion is that states must employ at least one language of official communication in order to function. With this assertion, the idea of presumed state neutrality over linguistic matters falls well short, especially in societies which are characterized by a high level of linguistic diversity.

Thus, the reason why state disengagement is possible in the realm of religion but not in the realm of language use is quite practical – states cannot be neutral over language-use issues in diverse societies because it is an inventible situation for states to employ at least one language of official communication and subsequently, a language in which state education is handled. It is not quite simple to translate the method of religious neutrality in the realm of language use. Patten notes that "whereas the idea of disestablishment (of the state) might have some merit in the multiculturalism debate, it clearly has none as a response to the language recognition problem" (2001, 693).

Is linguistic inequality (as conceptualized in this section) an issue with such serious consequences towards the position (the overall equality) of individuals? Language is per se, a means of communication. If all individuals are instructed to communicate with the state in one specific language would not that make all individuals equal in that respect? Traditional liberals would answer positively, but there would not be the same answer by liberal pluralists. For individuals that belong to different societal cultures of which important characteristic might also be the *mother tongue* will find various level of advantage or disadvantage in the idea to communicate in the official language with the organs of the state, for example. The following situation could be easily imagined: individual X is belonging to community A and individual Y is belonging to a community B, while both communities differentiate themselves by the language which they use. The state organizes communication with citizens on one language only – the language used by community A – and thus, presumes that it has achieved linguistic equality between X and Y because of the fact they are ought to use the same code. But, this is not the case as individual X communicates in his own mother tongue, while individual Y communicates in a language which is not his native, but acquired, presumably trough social contact and/or official education. In the end what would initially seem as a satisfactory neutral solution would be a solution which advantages X, but disadvantages Y. Pool argues that "those whose languages are

not official spend years of learning others' languages and may still communicate with difficulty, compete unequally for employment and participation, and suffer from minority and peripheral status" (1991, 495). In the same vain Van Parijs points out that "unequal linguistic equipment can be the source of major individual injustices" (2001, 60) such is "free riding" – a situation where out of two linguistic groups, only one will aim towards language acquisition of the mother tongue of the second group, thus will take the whole *burden* of the language contact (Ibid, 61). It is important to note that official state policies which recognize more than one language are rarely driven by ideas of justice and by a pure philosophical conviction about the value of multiculturalism, rather they are triggered by political necessity (Edwards 1994, 176), or more convincingly, by security concerns (Kymlicka and Grin 2003, 15).

Preservation of identity as a referential point

Language is considered in theory as being an aspect of individual and collective identity – "among the many symbolic resources available for the cultural production of identity, language is the most flexible and persuasive" (Bucholtz and Hall 2004, 369). Thus, many public policy choices with implications towards the linguistic environment are issues of identity politics. Meanwhile, the argument of promoting a group identity can easily be the rationale behind various policy choices that in some way promote the use of minority languages. Moreover, as an issue of identity politics the extended use of minority languages represents a powerful theme of social mobilization and a quite debatable problem on which linguistic majorities and minorities express conflicting views and interests. But first, it is important to determine what we will understand under the concept of identity and why identity represents such a 'burning' issue. The sheer complexity cannot be easily translated in simpler terms than the ones found in a very famous essay written by Charles Taylor, titled *The Politics of Recognition* (1994). Taylor conceptualizes identity as a category which answers a crucial ontological question. Identity, "…it is who we are, 'where we're coming from'. As such it is the background against which our tastes and desires and options and aspirations make sense" (1994, 33).

Despite elaborating identity as an issue of self-definition, Taylor also opted to introduce the role of social context as an important factor to the process of identity formation. In order to do so, he used a concept previously developed in the thought of Russian philosopher Mikhail Bakhtin and

his followers[10] – the concept of "dialogicality". An individual identity is always seen as a product of a dialog between the individual and the outside world, presuming that the individual is free to articulate his own understanding of who he is. In this manner, Taylor maintains that "we define our identity, always in dialogue with, sometimes in struggle against, the things our significant others want to see in us. Even after we outgrow some of these others – our parents, for instance – and they disappear from our lives, the conversation with them continues as long as we live" (Ibid., 32-33). In Taylor's terms, our self-definition requires a certain level of recognition by the outside world. This notion provides a basis for Taylor's notion of the "*politics of recognition"*.

In Taylor's conceptualization, the role of context is predominantly subtle rather than straight-forward. We are still masters of our own opinion and expression of what represents our identity, we are free to define and re-define ourselves, but this definition is highly influenced by the world around us. In the context of language use for linguistic minorities certain recognition is pivotal for the establishment of policies which promote linguistic diversity. Linguistic identity will be hereby considered as in Taylor's terms, as a dialogical category, defined as a function of mother tongue and the level of public recognition as a scope of usage with consequences towards the self-definition of the individual. We have our mother tongue as a first 'orienteer' of our linguistic identity. If we are multilingual – this fact will be a part of our linguistic identity. If we are suppressed in the usage of our mother tongue (this suppression might go all the way to the private sphere) than our identity is not recognized, nor satisfied, and our self-definition will be influenced by such a context, perhaps defined as inferiority. If we belong to a minority linguistic community which enjoys rights of language use in par with the rights of use deployed for the majority dominant community – then our identity might be defined as the one of a proud speaker of his own mother tongue. The options presented here are a function of majority-minority relations – if dialects within a particular language are also considered than the complexity would exponentially rise. As Taylor stresses the importance of identity recognition, in that manner this study stresses the importance of public recognition of languages as a function of self-definition of one's linguistic identity.

[10] For a collection of essays by Bakhtin (1895-1975) and his followers see Morris (ed.) (1994).

Subsequently, all demands that individuals and groups make and which are connected to promotion of minority languages in one way or another will be hereby considered as *identity claims*. The debatable question which arises when discussing identity is when individuals and groups are entitled to special confessions in order to protect their distinctiveness i.e. "when it is appropriate to allocate entitlements, resources, and opportunities… on the basis of something distinctive and important about the identity of a group or individual?" (Eisenberg 2009, 1). In practice, states often "wrestle" with the decision of whether they should grant special confessions to individuals-members of groups or groups in service of identity protection, or in which way this should be done. There exists no single and concrete rule which could assist policy makers to assess the plausibility of an identity claim[11].

Eisenberg puts forward three specific reasons why there is a need to develop sound criteria for assessment. The first reason stresses the need for a proper respect of various identity claims: "to ensure that (state) institutions treat people with different identities respectfully" (Ibid., 15). Institutions which seriously take into account identity claims, rooted in various cultural positions will show better respect towards individuals which advance these claims for whatever arguments. Eisenberg's second reason is strongly connected to the first, it also considers the role of state institutions, namely he stresses the need to "engender a sense of institutional humility about the fairness of public practices, values, and processes of decision making" (Ibid.). Classic liberalism has opted for *disengagement* when managing cultural diversity in the same recipe as in the case of religious diversity. Liberal pluralists have attempted to show that "state neutrality" is not an available option when considering cultural and especially linguistic plurality. The obvious reason for this is the mere fact that states always proclaim a certain cultural stance at the core of their existence, thereby disadvantaging other prominent cultural stances visible on their territory. In line with this, Eisenberg argues that "identity claims advanced by minority groups often provide a perspective from which to reveal bias, inequality, and partiality that masquerade as fair decisions and neutral principles" (Ibid.).

[11] This situation is well visible when reviewing international and regional documents concerned which address the issue of linguistic rights for minorities. Soft recommendations are put forward and states are free to design their policies with reference to the national context. See, for example, the recommendations of Hague, Oslo and Lund from the OSCE High Commissioner for National Minorities (1996, 1998 and 1999).

The two presented reasons ground "the moral force of identity claims" (Ibid.). The third reason which Eisenberg puts forward is one of pragmatic nature. Identity claims are exponentially more and more present in the public sphere and as such they represent an important and powerful tool for mobilization. Many different interests are sometimes presented as identity claims and Eisenberg notes that "a pragmatic need arises to develop institutions able to respond to them fairly" (Ibid.). The three presented reasons stand as a central problem to Eisenberg's "identity approach" to politics and policies. Language promotion identity claims follow the same pattern of uncertainty over the states' response. Though, what seems obvious is that, first and foremost, the context matters: "measures have to be tailored to the precise circumstances of each language, making it almost impossible to formulate general (policy) guidelines" (Grin 2000, 7).

Consequences of public recognition of languages: interests served

What happens when a state decides to address the demands of minority groups? What can be the effects of such an action for the realization of the interests of minorities? Patten has pointed out that the recognition of a minority language serves at least three main interests (2001). The first interest is *communication* and it highlights the instrumental characteristic of language as such. When the interest of communication is satisfied, individuals who belong to a minority linguistic group de facto possess a proper linguistic equipment to participate in the society. With such an act, these individuals are free to communicate without a "burden" of learning the language of the majority population or without the "burden" of translation. There are many "stressful" situations where individuals belonging to linguistic minorities would welcome the removing of such a "burden" – when communicating with state organs, in court procedures or in the process of formal education.

The latter two interests which Patten presents have a lesser functional value from the point of view of participation in society, but they hold a stronger appeal, a stronger mobilization function and ultimately, a greater capacity for the promotion of claims for public recognition of languages. Those are the interests of *symbolic affirmation* and *identity promotion*, which, if fulfilled, contribute positively to the process of individual self-definition within the broader social context. When a language is allowed to be used in any of the social spheres that does not represent a simple introduction of that language in states' business, nor it is an action usually

undertaken for the sake of communication. Rather, the act represents an expressed respect towards the speakers of that language i.e. the minority linguistic community. From the point of view of the interest of symbolic affirmation, the members of the minority group might feel as if they have reached a relatively "higher" status and that the "gap" between the positions of the majority and the minority groups has been brought closer within the framework of the nation-state. Concerning the interest of identity promotion, minority groups could easily see the introduction of their language in state business as an instrument of promotion or protection of their distinctiveness. Minority groups have found extremely important to hold on to the marks that have made them distinct, including their way of life, in the light of persistent homogenizing pressures delivered by the majority groups and the pressures which arrive from beyond the nation-state, in the face of a rising global culture.

As it was emphasized above, when language recognition is demanded, the two latter interests provided a much stronger appeal to minority groups than the interest of communication. Possibly, the idea of providing proper respect for linguistic minorities is the basis for most policies which promote linguistic diversity.

The official language problem: definitions of used concepts

Taking into account the existence of 6900 languages used by groups in 193 states, I argue that an *official language problem* might come to the fore in some multilingual societies. This problem is best visible when two or more linguistic communities dispute the state policy regarding the use of languages. This problem is defined as a "set of language policy choices that have particular consequences and that are subject to particular normative criteria" (Pool 1991, 497). These policy choices are not equally assessed by all groups, precisely because the assessment relies on some normative understanding of what represents a "good" language policy. Thus, according to the worldview of groups, some groups might find more benefit from the actual policy choice than others.

Language policy will be understood here as "a systematic, rational, theory-based-effort at the societal level to modify the linguistic environment with a view to increasing aggregate welfare. It is typically conducted by official bodies or their surrogates and aimed at part or all of the population living under their jurisdiction" (Grin 2000, 7; 2003, 30). This definition is comprehensive as it highlights several important notions that need further attention. First, this

type of a policy process is always directed at the linguistic environment – this characteristic would distinguish it from the other realms of public policy relevant for the contemporary nation state. Second, this type of a policy process has a clear normative dimension – at best it should be systematic, rational and rooted in theory and should contribute to the goal of 'increasing aggregate welfare'. From my point of view the notion of 'welfare' could be quite normatively-debatable and could vary from one cultural context to another. Third, it should be stressed that states typically pursue language policies – although this does not mean that private institutions could not modify their own linguistic environment. Here we are exclusively interested in the state as an actor in this process and that is why states' bodies and their surrogates are identified as primary agents. Fourth, language policies are directed at part or all of the population, meaning that they could have consequences toward the linguistic groups which reside on a particular territory.[12]

A *language regime, or language-use regime,* will be quite simply understood here as a "rule producing language policy" (Pool 1991, 499). This definition stresses the need for pre-established rules which form the basis and which give direction to policies directed at language use. I underline that neither the regime, nor the subsequent policies are normatively-neutral, they hold various assumptions of what is socially justifiable – they include world-views and positions over linguistic justice and equality. In multilingual and, in more general terms, multicultural societies, these concepts are rather debatable than certain, and this fact opens a possibility to develop different regimes and subsequent policies than the ones that follow the black and white logic of homogeneity vs. diversity.

The source of the official language problem found in the substance of the regime and the orientation of particular policies can be assessed in view of the mentioned *tension* between the pushes for diversity and homogeneity – most characteristically provided by minority or majority groups respectively. For this problem a resolutions might also exist which would favor the interests of both minority and majority groups.

Regarding language policies, few classifications can be drawn from theory. First, policies can typically be classified as ones that promote linguistic homogenization (in favor of the titular

[12] For an overview of theory and methods used in contemporary research in language policy see Ricento (2006). For a historical approach on the development of the discipline see Ricento (2000).

language of the state and the titular group) or as ones which promote linguistic diversity. In another classification the state could either push for pro-active, promotion-oriented language policies, thereby acting upon the linguistic environment on a positive way (with a desired effect to promote the use of a minority language), or it might limit its actions to a simple removing of barriers for the usage of a minority language. The second option would only push for "undisturbed" usage in the private sphere, while the first would require an extended usage in the public sphere. The two options would also serve the achievement of two different types of linguistic rights – positive and negative.

In the world of today, a basic set of standards regarding language are found in documents such as the United Nations *Universal Declaration of Linguistic Rights* from 1996. Skutnabb-Kangas defines the linguistic human rights as those which "first, are necessary to fulfill people's basic needs and for them to live a dignified life, and, second, that therefore are so basic, so fundamental, that no state (or individual or group) is supposed to violate them" (2006, 273). Providing basis for the removing of barriers which threaten the usage of one language in the private sphere is at least what one state should do, according to these principles. At the other side of the extreme, the state could "boost" the status of a language by institutionalizing it as a language of official communication or if it decides to offer state education on that language.

Similarly, Patten distinguishes between language policies that support individual linguistic autonomy and ones which offer public recognition of languages (2001). In his terms, "a language enjoys public recognition when it is possible to access public services and/or conduct public business in that language… The problem of public recognition is the problem of which languages should be recognized and in which domains of public language use" (Ibid., 692). On the other hand, an individual enjoys linguistic autonomy if "he is free from state interference to select which language he will use in various non-public domains and which of the publicly recognized languages he will use in various public domains" (Ibid., 692). On the broadest level, disputes over language policies are typically directed at the two problems of public recognition and individual linguistic autonomy, the former being of a rather extended interest in comparison to the latter.

Language regimes and subsequent policies can be further on differentiated according to their scope and according to the societal spheres where they are employed. One typical classification

is between language regimes and policies that promote territorial or personal linguistic rights. Also, regarding the social spheres and the realms of public policy, language policies might be directed at the public sphere in general, or they might be solely directed to the realm of state-organized education as one particular sphere which is commonly connected with language use. Harold Schiffman defines a territorial linguistic right as a "right to use a particular language… restricted to a particular territory within the polity, or even certain domains within a restricted territory". On the other hand, a personal right is defined as a right which is "portable and belongs to the person wherever he or she goes and interacts with organs of the state" (1996, 29).

The context behind promotion-oriented policies

Arguably, when states employ promotion-oriented policies towards linguistic diversity, they rely on some mixture between the presented ideal types of language regimes, policies and linguistic rights. The feature behind this situation is the specific context relevant for each state. The relative size between the linguistic majority and the minorities, the balance of power between the political elites, security concerns and the role of powerful regional, continental and international organizations – can all be important factors for the regime and policies deployed. An overview of some of these factors which are not directly analyzed in the following chapters was made through a process tracing analysis which focused on the change of the regime. The regime changes are assessed through four episodes (Tilly 2001). All episodes are characterized by changes in the regime and by redefinition of the cleavage of the two largest linguistic groups over language.

The process tracing diagram (Annex I) follows the path of the regime-change and juxtaposes its relation to a wide range of mutually related and unrelated internal and external factors. It can be useful for the reader in the following chapters to have a broader perspective, mainly because the following argumentation focuses exclusively on the resolution of the official language problem in Macedonia. In Annex I some important external factors, which are not directly discussed in the text, are also considered. The war in Kosovo and NATO actions in Serbia (1999), but also the recognition under the Constitutional name "Republic of Macedonia" by the USA in 2004 and the Macedonian highest achievement in the accession process towards the EU – the candidate status in 2005 are processed. The external factor is very important, and by discussing only internal

factors this study does not want to imply that external factors should be disregarded. But, the focus here is limited to internal factors, more specifically the ideology of language.

Nationalist Language Ideology

Ideology is indeed a disputed concept in social science, but unstable, context-dependent definitions can and should be worked out when approaching a defined problem and this will be done in this part of the text. For example, Terry Eagleton (1991) lists 16 definitions utilized in various approaches found in the literature. Most of these definitions are divergent and focus on various aspects, though what they surely have in common is the view on ideology as set of ideas or belief systems. Other characteristics are more disputed: some definitions focus on ideology as a process, others as a system of domination, another type views ideology as false consciousness or "socially necessary illusion", further on power, identity, world-view, and/or action orientation. All of these dimensions can be important when viewing the phenomenon, though some have lost ground over time. The pejorative stance on ideology which has been utilized by early Marxists as a form of "false consciousness" or the more recent "end of ideology" debate initiated by Daniel Bell (1962) are now largely abandoned and ideology is studied as a fact which appears in all societies, liberal and illiberal, capitalist or communist.

Here, ideology is assessed primarily as a belief system – a body of mutually associated ideas which inform the worldview of individuals – but it is also accepted that ideology has its dynamics rather than statics, that it is utilized for domination and to oppose domination, and that it relates to the relations of power within the society. This view can be explained as "intersection between belief systems and political power" (Eagleton 1991, 6). Moreover, identity is also in play as a cornerstone of the belief system, since this is demanded by the focus of the study.

On the other hand, language ideology is such a belief system which focuses on language, its nature, use and status in the social world. Seems most broadly of the definitions reviewed here, but Kroskrity defines language ideologies as "beliefs, or feelings, about languages as used in their social worlds" (2004, 498). This definition implies deep personal characteristic towards language and its use on the *most personal level*. In contrast, another broad definition by Rumsey defines language ideologies with reference to *the group*, as something which is shared among individuals: "shared bodies of commonsense notions about the nature of language in the world" (1990, 346). Another broad definition focusing on the embeddedness of ideology in the social structure is found at Woolard & Schieffelin (1994, 55): "language ideology is a mediating link

between social structures and forms of talk". Another emphasized approach on the role of language ideologies stresses the underlying symbolism in linguistic practices and the power relations which are at play (Bourdieu 1991). In this understanding, the use of language in everyday life rarely stands as a "pure instrument of communication", and rather "takes on a social value and symbolic efficacy" (Bourdieu 1991: 66-67).

These four definitions found at different authors are very broad – seemingly connected – but also refer to different possible aspects and enclose different approaches. Indeed, all mentioned dimension can be important across contexts, but having in mind the context of the case of the thesis, these four attempts to define the concept are all found unsatisfactory (this is attributed by their broadness) and are validated as nonoperational for the case of the thesis.

Other reviewed definitions also relied on different aspects, but offered more concrete conceptualizations. Irvine places emphasis on the cultural and social embeddednes of ideological practice defining language ideology as "the cultural system of ideas about social and linguistic relationships, together with their loading of moral and political interests" (1989, 255). Another definition by Silverstein more directly stresses the embeddedness of language ideology in the social structure, defining it as a "sets of beliefs about language articulated by users as a rationalization or justification of perceived language structure and use" (1979, 193). Heath's definition is more group-centered: "self-evident ideas and objectives a group holds concerning roles of language in the social experiences of members as they contribute to the expression of the group" (1977, 53).

It is possible that some of these latter three definitions, as they stress different aspects of language ideology, are not always operational in a stable manner across contexts. Real life diversity of situations within states creates this puzzling problem. To approach the case in a structured way, given the acquired background, the definition by Heath which places greatest emphasis on *groups* which have *ideas* and put forward *objectives* and thus "rethink" the role of language and its social status while through the whole operation *contribute to the expression of the group*, seems most valid to approach the problem. This study will operate through this definition, which satisfactory captures the context of the research case.

This means that the previous implications from the broad definitions will not be disregarded. It is accepted that ideology is in constant relation with the overall social structure, as Woolard puts it (1992, 235): "ideology stands in dialectical relation with, and thus significantly influences,

social, discursive, and linguistic practices". Or, in a similar manner, but a rather simplified statement: "language does not merely reflect and already existing social reality; it also helps to create that reality (Ahearn 2001, 111).

The context is such (as it is assessed) that language ideology has played a part in the process of advancement of overall position of a minority group (or groups) within the framework of a unitary nation state. The ethnic camps in conflict have utilized divergent and contrasted ideological standpoints – and this action has produced consequences towards the contents of the language-use regime, and ultimately towards employed language policies.

I hypothesize that the language ideologies in the context of Macedonia, disregarding whether they are agents of linguistic homogeneity or diversity are largely informed by the ideology of nationalism in their worldview. This places need for additional conceptualization of the nationalist ideology.

Griffin defines the ideology of nationalism in an expanded manner. His definition is here reduced to several important aspects which are of interest:

> *Nationalism: an ideology whose affective driving force is the sense of belonging to and serving a perceived national community (…) This community is (usually subliminally) identified with a unique set of characteristics allegedly deriving from constitutional, historical, geographical, religious, linguistic, ethnic and/or genetic realities (…) when such sentiments play a major role in the dynamics of a political movement, the thrust of nationalism is generally for the national community to be assumed to form „naturally" a state (whether autonomous or part of a federation and confederation of states) in which the sovereignty held to reside in the people is exercised by its elected or self-appointed representatives within territorial boundaries recognized by the international community.* (1999, 155)

Even though this definition is comprehensive, a further point needs to be made. Not all nationalist movements achieve self-rule in the sense of autonomy for the groups that they represent. Sometimes, the best possible option for minority groups is not statehood, but advancement of status in the framework of an existing nation-state, and this goal is sometimes pursued by nationalists. In this sense, Kellas proposes that central to all aspects of political nationalism are two related patterns: one, "the importance of national identity" as "the ability to freely determine one's own national identity, culture (including language, education and

religion), and form of government", and two, "the desire to overcome social and political systems of domination and exclusion in which nations other than one's own wield predominant power" (1998, 7-8).

In the case of language, nationalist political strategy most broadly takes the form of achieving linguistic homogeneity in the "one state – one language" principle; or it takes the form of promotion of linguistic diversity, but always this attempt is focused on one's own language. The later strategic option is always pursued by minority groups which yield political battles with the majority group. Naturally, the former option is reserved for that group which "controls" the nation state. When minority groups manage to challenge the power of the majority, the majority can turn towards protection of the status-quo as a primary strategy.

What is a feature of nationalist strategies over language use is the sole concern for the language of its own group and its privileges. The assumption is that the two linguistic groups in question (the Macedonian and the Albanian) have defended nationalist attitudes over language use and that this has contributed to the current "shape" of the language-use regime.

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This chapter introduced the concepts through which this study will operate. The concepts of language-use regime, language policy (and the classifications related), the official language problem and the concept on language ideology are all important for the thesis. Previously, the theoretical background of the study and its value-orientation were presented. Through this foundation the study will further discuss the specifics of the Republic of Macedonia for the 1991-present day timeframe.

Chapter Two – Tracing the changes of a language-use regime: legal provisions for minority language use pre- and post-2001

> *The most important attitudes, prejudices and preferences about language and language choice are those enshrined in law or sanctioned practice, for these are the codified wishes of the socially dominant.* (Edwards 1994, 7)

The previous chapter outlined the main concerns of this study. The concept of a *language-use regime* was introduced (Pool 1991) as an analytical framework for the assessment of language policy in Macedonia. It is considered that the language-use regime has its codified legal manifestation and a sanctioned practice – this is understood as the most concrete expression of what is socially accepted as a *good language policy*.

We can distinguish between two periods of development of the language-use regime in Macedonia: the first period runs from 1991 to 2001 and is characterized by a policy of titular language supremacy with a limited, though existing set of rights of use for minority languages. The second period, identified from 2001 onwards – and initiated with the incorporation of the OFA in the legal system – is marked by certain decrease of the supremacy of the titular language supremacy, mainly because the scope of use and possibilities for minority languages have increased. This shift is well visible in the legal framework. The intention in this chapter is to outline the main changes which are adopted in the post-2001 period through an analysis of the legal framework relevant for the two periods. As a result of the analysis, this chapter will offer an easy-to-read timeline which presents the main legal acts and provisions related to the use of languages and the time of their adoption. Also, the concluding section of this chapter will outline the main legal acts which should be considered when attempting to define the contents of the language-use regime in present-day Macedonia.

Firstly, I examine the characteristics of the language-use regime as established with the proclamation of the Constitution of the Republic of Macedonia in 1991, with a reference to

relevant laws which support the constitutional solution. A certain modification in the regime is noted in 1997 when the state decided to introduce higher education in a minority language in one of the state-sponsored faculties and this change is also noted. Second, I examine the incorporation of the OFA in the legal system and the main changes which are adopted. The reform has introduced official use of minority language at national level and university education in a minority language, among other developments. Section two in this chapter also presents the most relevant laws which are adopted in support of the OFA solutions. In such a perspective, the concluding section of this chapter offers an account of the exact OFA impact on the legal level over the substance of the Macedonian language-use regime.

Language-use regime 1991-2001

The Macedonian Constitution of 1991 was tailored according to the model of a nation-state which identified the ethnic-Macedonian population as the main constitutive element. Even though this was the case, the Constitution recognized the existing ethnic and the cultural plurality within the state borders[13]. This *recognition* was manifested in the drafting of the opening constitutional statement, the Preamble. The Republic of Macedonia was defined as a "national state of the Macedonian people", but it was also assured that "full equality as citizens and permanent co-existence with the Macedonian people is provided for Albanians, Turks, Serbs, Vlachs, Romanies and other nationalities[14] living in the Republic of Macedonia" (Preamble of the Constitution of the Republic of Macedonia, 1991). This formulation can be regarded as important from the point of view of justification for the existence of multiethnic policies; including the ones that are directed at minority language use. Thus, even though the Macedonian state was explicitly defined as a nation-state of the Macedonian people, the identification of existing minority groups in the Preamble also has symbolic importance which can be regarded as a first step towards assigning group-specific rights.

[13] During the 1990s two separate censuses were held which confirmed the multiethnic character of Macedonia's population. In 1994, the census concluded that from less than 2 million inhabitants, 66.5% declared themselves as belonging to the Macedonian ethnic group, 22.86% to the Albanian, 4% to the Turkish, 2.25% to the Romani and 2.04% to the Serbian ethnic group. Previously conducted, the 1991 census declared that 65.3% of a population of a bit more than 2 million inhabitants was of ethnic Macedonian origin, 21.73% was of ethnic Albanian, 3.79% of Turkish, 2.56% of Romani and 2.1% of Serbian origin. Both censuses were later considered as partial, due to the non-participation of the ethnic Albanian minority. Data on both censuses is taken from the State Statistical Office of the Republic of Macedonia.

[14] The Constitution of Macedonia from 1991 employed the term "nationalities" [националности] to denote national minorities.

Subsequently, the Macedonian Constitution sets the basis for minority language use through two articles, which deal with *two separate spheres* – the official use of languages and education in minority languages. Article 7 sets the basis for an official usage of language at both national and local (municipality) levels[15], while Article 49, places the foundation for minority language instruction in education.

Official use of languages

In 1991, Article 7 of the Constitution stipulated that the Macedonian language is the official language of the state, while the languages of nationalities are used as official within the local self-government units (LSGUs), if fulfill numerical conditions. This meant that if in a local self-government unit (LSGU) the *majority* of the population belongs to a nationality, then the language and alphabet of that group are automatically qualified to be in official use at the local level. Further on, if in a certain LSGU a *considerable number* of the population belonged to a particular nationality, then, under some conditions, their language and alphabet can also be used as official. Both these constitutional possibilities were treated through additional laws in the period 1991-2001, though the basic principles of the regime are placed through Article 7 of the Constitution.

In 1995, the Macedonian Parliament adopted the *Law on Local Self-Government*[16]. Chapter XIV of this law was titled *Official usage of languages in the units of local self-government*. Article 88 defined the units of local self-government in which the members of nationalities compromise at least 50% of total population as units where *majority of inhabitants belong to a nationality*. Likewise, if in a unit of local self-government at least 20% of the population belongs to a nationality, then these units were referred to as ones where a *considerable number of inhabitants belong to a nationality*.

[15] Macedonia is a unitary state with a de-centralized state power. There are two levels of governance: the national and the local. The local level of governance is exercised by the local self-government units (LSGUs) (the municipalities), but also by the local units of the Ministries (the central authorities). Local governance in Macedonia is organized in one single level, and this has been a feature of the whole period, from 1991 onwards. Post-2001, local governance in Macedonia was reformed with a goal of achieving greater decentralization of government competences but the one level model was preserved.

[16] *Law on Local Self-Government*. Official Gazette of the Republic of Macedonia 52/1995 (01 November 1995).

Articles 89-90 further elaborated the regime of minority language-use at the local level. Namely, if a nationality was in a majority or in a considerable number in a certain unit (as it was explained) then the Municipality Council and other Municipality organs used that language in official communication, next to Macedonian. Also, all acts published by the Municipality Council and other organs had to be written in the language of that nationality, next to Macedonian. Public services, institutions and companies which are formed by the LSGUs were allowed to use a language of a nationality which is in majority, next to Macedonian. The writing of road signs, signs in front of public services, institutions and companies formed by the LSGUs could also be written in the language of the nationality in majority. If a nationality was in a considerable number but not in majority then this last group of provisions was only effective if that was decided by the representative body – the Municipality Council[17] (an additional requirement). However, all signs in front of cultural and educational institutions which serve for development and promotion of cultural and educational goals of nationalities were to be written in their mother tongues, next to Macedonian, and regardless of the number of persons belonging to nationalities which live in a particular unit where these institutions are based.

It is important to stress that it was stipulated that the use of minority languages always comes next to Macedonian, and never overlaying it. The rights of use were defined trough the numbers of a nationality as a part of the population within a LSGU. There were some differences between the scope of rights for a nationality which is in a majority and for the ones that are in considerable number. Though, a complete equalization between the rights available for both categories was deemed to be available only upon the decision of the Municipality Council. The role of the Municipality Council as a key player in establishing local language policies was introduced via the 1995 Law, though that role will be employed as a constant characteristic of the language-use regime at the local level, also relevant for the post-2001 period.

Use of languages in education

Article 48 paragraph 4 of the Constitution guaranteed minority language instruction in primary and secondary education, with additional study of the course in Macedonian for those students.

[17] As stated in the law in question, the Municipal Council represents a "representative body… which decides within the responsibilities of local self-government unit" (Ibid., article 25). The number of representatives within each particular Municipality Council is determined with reference to the number of inhabitants of that particular unit of local self-government (Ibid., article 27).

The *Law on Primary Education* and the *Law on Secondary Education* (both from 1995)[18] further elaborated the idea of education on minority languages, which was a possibility only opened through the Constitution, but not strictly specified.

These two laws contained quite similar, if not same provisions, regardless of their focus on separate educational levels. This means that the treatment regarding minority language use in both primary and secondary education was intended to be equal. Higher education was not considered as a sphere of minority language use until 1997, when a small adjustment of the regime took place.

Article 8 from the Law on Primary Education and Article 4 from the Law of Secondary Education assigned the Macedonian language and the Cyrillic alphabet as a *language and alphabet of instruction* in both primary and secondary education. The same articles included a provision which allowed instruction in the languages and alphabets of nationalities. Additionally, it was prescribed that if instruction is held in a language of a nationality a course on the Macedonian language is compulsory for all pupils – without specifying the grade when the study of Macedonian commences.

Provisions over the *language capabilities of teachers* are found in both laws (Article 67 of the Law on Primary Education, Article 59 of the Law on Secondary Education). It was prescribed that a teacher must possess knowledge of the Macedonian language and the alphabet, irrelevant of the school where he/she handles tuition. On the other hand and somewhat contradictory, the Law on Primary Education prescribed that even if a teacher does not have skills in the language of a particular nationality (in a school were tuition is held on a nationality language), then he/she can still hold classes at least for a limited time if a suitable teacher cannot be found (Article 67). This provision somewhat reduced the commitment of the state to make sure that tuition in minority language will be held by a suitable teaching staff.

Pedagogic evidence and documentation had to be handled and issued in Macedonian, although in schools where a language of a nationality was used in tuition, evidence and documentation was allowed to be handled in that language too, but not issued (Article 81 of the Law on Primary Education, Article 73 of the Law on Secondary Education). Article 31 of the Law on Secondary

[18] Both laws are published in the Official Gazette of the Republic of Macedonia 44/1995 (20 September 1995).

Education prescribed that *study materials* where to be granted in the language in which tuition is held, including minority languages; while the Law on Primary Education did not contain any specific provision over that matter.

As it might be understandable, these provisions somehow fall short of the idea for an effective minority language education at the primary and the secondary level. Both laws placed safeguards for the study in Macedonian, and while possibilities for instruction in a nationality language were opened, the organization was neither fully specified, nor guaranteed. There were no provisions which assured that the members of nationalities will receive teachers with proper language capabilities in the minority language and the problem of study materials was vaguely regulated. All these shortcomings were not addresses in the period 1991-2001 and represented a point of objection for members of nationalities which demanded effective and state-sponsored primary and secondary education.

Moreover, a constant demand of ethnic Albanians was state-sponsored higher education in Albanian. In order to address some of those demands through the 1990s (discussed later, in chapter IV), the Macedonian Government proposed and the Parliament adopted the *Law on Languages in which tuition is held at the Faculty of Pedagogy "St. Clement of Ohrid" in Skopje* in early 1997[19]. This was the first law which allowed tuition to be held in a language other than Macedonian at the level of higher education in post-1991 Macedonia. The law allowed students who were studying in a program at the Faculty aimed at training of teachers for pre-school, primary and secondary education to study in language of tuition used by the nationalities which reside in the Republic of Macedonia. The only exception was related to courses that deal with Macedonian history and language which mandatory had to be held in Macedonian. There was also one important condition – the one that declared that at least 20 students belonging to a nationality must "show interest" for a program in order for nationality-language tuition to be activated. These provisions were later included in a special Law on Higher Education, and the Law on Languages in the Pedagogical Faculty was suspended.

[19] *Law on Languages in which tuition is held at the Faculty of Pedagogy "St. Clement of Ohrid" in Skopje*, Official Gazette of the Republic of Macedonia 5/1997 (06 February 1997).

The *Law on Higher Education* which was adopted in 2000 simply confirmed the supremacy of Macedonian in higher education through Article 95[20]. The only possibilities for higher education on a minority language were given in the framework of the Faculty of Pedagogy in Skopje. This solution was well short of the demands of ethnic Albanians because it was limited to one faculty in the whole state. For other nationalities, the numerical condition of interested students was a point of objection which constantly threatened to undermine the start of such a program. Even if this was the case, these developments remain important because it was the first time in history of independent Macedonia a language of a nationality received the right of use in the realm of higher education.

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The underlying conclusion is that the period 1991-2001 was characterized by a tendency to support a *legal framework which would provide supremacy for the titular language of the state*, while, at the same time, *possibilities were offered for use of minority languages regarding official communication and education*. This section presented an overview of these possibilities and discovered great inconsistencies behind the legal definition of minority language use. First, the legal framework indeed offered official usage of a minority language at the local level, but also prescribed quite strict criteria for this to be materialized. Secondly, education in minority languages was also supported – since 1997 at three educational levels. The legal framework for primary and secondary education did not promise to be effective because of several setbacks, presented above, while the Macedonian language was extensively promoted as a language of instruction. Also, since 1997 higher education was limited to only one Faculty in the country and as a result of constant demands for use of Albanian in higher education. In this kind of legal context, the conflict of 2001 and the signing on the OFA took place. The following section will focus on the achievements of the OFA in the realm of minority language use having in mind the presented 1991-2001 legal framework for minority language use.

[20] *Law on Higher Education*. Official Gazette of the Republic of Macedonia 64/2000 (03 August 2000).

Legal framework 2001-present day

In this section I will make an overview of the OFA-achievements in the sphere of minority language use from a formal legal aspect. Firstly, relevant language-use provisions found in the OFA will be presented and later I will focus on the Constitutional and legal solutions adopted by the Macedonian state for the implementation of the document.

First and foremost, following the conflict of 2001 the Preamble of the Macedonian Constitution was altered towards a civic conception of the state. However, it is important to point out that the formulation found in the OFA is different from what was later adopted by the Macedonian Parliament. The original Preamble negotiated in Ohrid placed the sovereignty in the hands of the *Macedonian citizens* (without reference to particular groups), while Amendment IV of the Macedonian Constitution (renegotiated during the Assembly discussion) laid down that "the citizens of the Republic of Macedonia, the Macedonian people as well as… Albanian people, the Turkish People, the Vlach people, the Romany people, the Bosniak people and others… have decided to establish the Republic of Macedonia as an independent, sovereign state…" This can be seen as advancement of status for minority groups and as certain abolition of the nation-state model, but not in totality as ethnicity remained important as in the pre-2001 period. In this sense, what the OFA envisioned was a pure civic conception of the state, but in the end only an inclusive perspective towards minorities was accepted. Thus, from 2001 onwards constitutive elements of the Republic of Macedonia are the named "communities", instead of the "Macedonian people" which guarantee coexistence for the named "nationalities". Also, with this, the term "nationalities" was abolished in the favor of the term "communities". This discussion will be continued during Chapter IV and Chapter V, while I stress to the reader that the integral three versions of the Macedonian Preamble (the 1991, the OFA and the 2001) can be found in Annex 2 of this study.

Further on, the OFA provisions over the use of minority languages can be classified *substantive* and *procedural*. The first define the contents of the language-use regime, and compared to the previous regime establish the basis for new developments. The second type of provisions "frame" the decision-making process concerned with the sphere of minority-language use. The

former are found in Section 6, titled *Education and Use of Languages*, while the later are found in section 5 titled *Special parliamentary procedures*[21].

Regarding the substantive provisions, in primary and secondary education, the right of instruction on mother tongue was reaffirmed through paragraph 6.1. of the OFA. State funding regarding higher education for the community which compromises 20% of the Macedonian population was introduced through paragraph 6.2. Paragraph 6.4. confirmed the role of Macedonian as an official language (as it was defined in the 1991 Constitution), but paragraph 6.5. introduced the official use of minority language at the national level, next to the official state language, and exclusively for the 20% community.

Paragraph 6.6. reformed the rules for official use of minority languages at local level. We saw that, previously (1991-2001), it was stipulated that a nationality in majority or in a considerable number (20%) within an LSGU may receive rights of official use at the local level. Post-2001, at least 20% of the municipality population should belong to a non-majority linguistic community and rights of official use are automatically granted. Also, a possibility is opened for the rather smaller communities within a municipality (below 20% of the population) to enjoy the same right, if local authorities decide so.

Paragraph 6.7. defined language use in criminal and civil judicial proceedings in accordance with the relevant Council of Europe documents. No specific provisions concerning minority language use were given here. Paragraph 6.8. introduced official documents written on the language of the group which consists 20% of the population.

Regarding the procedural provisions, The OFA introduced one crucial element in the Macedonian legal system, relevant to several policy spheres, among which is the sphere of minority language use. What was later labeled as a "double-majority" voting procedure in the OFA is defined as "*a majority of votes, within which there must be a majority of the votes of the Representatives claiming to belong to the communities not in the majority in the population of Macedonia*". Section 5 – *Special Parliamentary Procedures* – introduced the double-majority

[21] The whole structure of the OFA is as follows: 1. Basic provisions; 2. Cessation of hostilities; 3. Development of decentralized government; 4. Non-discrimination and equitable representation; *5. Special parliamentary procedures; 6. Education and use of languages*; 7. Expression of identity; 8. Implementation; *9. Annexes (A: Constitutional Amendments; B: Legislative Modifications*; *C: Implementation and confidence-building measures*); 10. Final provisions. The points in *italics* represent the primary interest of this chapter. See: Framework Agreement 2001.

voting in the Macedonian Parliament for OFA-related, and more broadly, issues related to the interests of non-majority communities and to some explicitly identified policy areas, i.e. "*laws that directly affect culture, use of language, education, personal documentation, and use of symbols, as well as laws on local finances, local elections, the city of Skopje, and boundaries of municipalities*" (paragraph 5.2); note that *use of language* is included. The double-majority voting procedure was also made applicable in decision-making at the local level with the adoption of the 2002 Law on Local Self-Government (presented below).

This type of decision-making where ethnicity matters is not a characteristic feature of liberal democracies. The Macedonian model also falls well short of the requirements of the model of *consociational democracy*[22]. Possibly, the concept of *"institutionalized ethnicity"* is most suitable to describe the reality of post-2001 Macedonia, as Florian Bieber (2004) suggests. Bieber defines institutionalized ethnicity as "representation of ethnic groups as ethnic groups in state institutions, including legislature, executive, judiciary and public administration" (2004, 2). According to Biber, Macedonia, Bosnia and Herzegovina and Kosovo qualify as cases where "power-sharing takes place only to some degree". In the case of Macedonia, decision-making when legislating contains something that is much "softer" than the veto, but at the same time provides a solid level of control for the minorities if they wish to counter the power of the ethnic majority. Moreover, this type of voting is restricted to several policy spheres all of which are relevant to minority communities, the issue of minority language-use being just one.

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All Constitutional modifications included in Annex A of the OFA found their way in the Macedonian legal system. As I showed before, Articles 7 and 48 set the basis for language use in the 1991 Constitution. These two articles were amended to include paragraphs 6.1., 6.4., 6.5., 6.6 and 6.8. of the Agreement. With the adoption of amendment V, the possibility for other language to be used as official alongside Macedonian became article 7, paragraph 2, of the Constitution,

[22] Arend Lijphart (1977) defines four characteristics of consociational democracy: 1) existence of grand coalition; 2) mutual veto power; 3) application of the principle of proportionality and 4) segmental autonomy and federalism. Some "traces" of these features can also be found in the Macedonian model, and the double-majority vote is one of them, though this procedure is very different from the right of veto.

while the provisions concerned with the official language at the local level were included in article 7, paragraph 6. Article 7, paragraph 3, established the basis for issuing of personal documents in a minority language. The principles for communication with state organs developed in the OFA were transferred in article 7, paragraph 4 of the Constitution.

Concerning article 48 of the Constitution which represents the basis for education in minority language, nothing substantive was changed, except the terminology which substituted the term *"members of nationalities"* with the term *"members of non-majority communities"* (via amendment VIII). Further on, Article 69 was amended to introduce the procedure of double-majority voting in the Parliament for several policy spheres including language use (via amendment X). The integral text of all adopted amendments related to the use of languages, both substantive and procedural, can be found in Annex 3 of this study.

The legal acts adopted in the period 2001-present day were mainly in function of the OFA-intended Constitutional amendments. In the following, I am presenting the most important legal provisions found in the adopted laws which supported the OFA reform.

Official Use of Languages at the Local Level

Post-2001 the organization of Macedonian local self-government was reformed to answer to the requirements of the OFA – decentralization of competences, strengthened democratic participation and better governance at the local level. The regulation of minority language use at the local level was an integral part of this reform. A new *Law on Local Self-Government* was adopted in early 2002[23]. As in the previous law, chapter XIV was dedicated to the *Official languages in the municipality* (articles 89-90). The provisions from the OFA included in the Constitution and concerning official use of languages on local level were, quite simply, translated into this law. Next to the use of Macedonian, in municipalities where a population of at least 20% uses a different language, that language is used in official communication. If a linguistic community accounts for less than 20% of the population, the Municipality Council can decide whether that language will also be used in official communication (thus, the Council's role from the 1991-2001 period was reaffirmed). When deciding upon the issue, the Municipality Council uses the method of double-majority voting (Article 41).

[23] *Law on Local Self-Government*. Official Gazette of the Republic of Macedonia 5/2002 (29 January 2002).

In 2004, the territorial organization of local self-government was reformed and the number of units (municipalities) was reduced from 123 to 84[24] (not including the city of Skopje, which represents an LSGU with a special status[25]). This reorganization framed the context of multilingual local language policies. The consequences from the 2004 reorganization will be assessed in Chapter IV, when the effects of the placed legal framework will be discussed. For now, it is important to note that such a change also occurred because of its relevance towards the process of establishment of official use of languages at the local level. Due to the 20% requirement, the importance of demographic structure of each LSGU comes to the fore.

Laws that deal with state-organized education in minority languages

In the realm of primary and secondary education numerous changes were made as a result of the post-2001 developments. All these changes contributed to a reinforcement of the right of education in mother tongue. As we saw, in the period 1991-2001 these two spheres of primary and secondary education were regulated through two separate laws which contained similar, if not the same legal rules on minority language use. The first task of the legislator was to amend these two laws to include the terminology of the Constitutional article 48. This was done in fall 2004, when a list of amendments was adopted by the Macedonian Parliament[26].

The 2004 amendments in both laws introduced a possibility for the members of non-majority communities to celebrate their traditional day of education or language with cultural and other events. Also, the amendments introduced publishing of bi-lingual of job ads for working positions as teachers, or for the enrolment of pupils (it was stipulated that next to Macedonian, the language of instruction should be used).

[24] See the *Law on Territorial Organization of Local Self-Government in Macedonia*. Official Gazette of the Republic of Macedonia 55/2004 (16 August 2004); On the previous territorial organization of local self-government see the *Law on Territorial Division of the Republic of Macedonia and Determination of Areas of the Units of Local Self-Government*, Official Gazette of the Republic of Macedonia 49/1996 (14 September 1996).

[25] The status of the city of Skopje is regulated with the *Law on the City of Skopje*, Official Gazette 55/2004 (16 August 2004). Rules for assigning use of minority language in the framework of the Skopje LSGU are regulated with articles 50-51 and completely resemble to the general rules at the local (municipality) level.

[26] *Law Amending the Law on Primary Education*, Official Gazette of the Republic of Macedonia 63/04 (20 September 2004) and *Law Amending the Law on Secondary Education*, Official Gazette of the Republic of Macedonia 67/2004 (04 October 2004).

A new *Law on Primary Education* was adopted in 2008[27]. It suspended the old law and its amendments and relied more extensively on the principles developed in the OFA. Article 14 allowed school names to be written both in Macedonian and in the languages of instruction which are used in the respective school. Furthermore, article 80 prescribed that a teacher must know the Macedonian language, and in case a teacher uses other language of instruction, than he/she also must know that language. Finally, it was prescribed that the Review Commission for Textbooks must have one member from the community for which a textbook is drafted. Articles 100 and 104 deal with pedagogic evidence and study materials, respectively, but their solutions are completely identical as in the 1995 law.

Post-2001 the *Law on Higher Education* was also amended to include the OFA provisions. A long list of amendments was adopted in 2003 – only one provision was directly related to the use of language[28]. As it was explained, the community which is 20% of the population has right to public education in mother tongue. If studies are organized in language of instruction different than Macedonian, irrelevant whether this is public or private education, the study of Macedonian is compulsory, and the study of two more courses must also be done in Macedonian. This same provision also goes for studies organized in one of the world languages. The provisions connected with the Pedagogic Faculty in Skopje remained unchanged, and were directed at creating qualified teaching staff for pre-primary, primary and secondary education in a minority language (article 23 of the amendments to amend article 95 of the Law).

In year 2008 a new *Law on Higher Education* was introduced[29]. Article 103 of this Law is identical to the amended article 95 of the 1995 law. A most recent change of this law that concerns minority language use took place in early 2011[30]. The novelty which was adopted stipulated that some of the student documents at state universities (such as the transcript of records, the student identity card and the Index) can also be issued in another language which is official at national level, if it is a language of instruction (article 12 to amend article 116 of the Law).

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[27] *Law on Primary Education*. Official Gazette of the Republic of Macedonia 103/2008 (19 August 2008).
[28] *Law Amending the Law on Higher Education*. Official Gazette of the Republic of Macedonia 49/2003 (25 July 2003).
[29] *Law on Higher Education*. Official Gazette of the Republic of Macedonia 35/2008 (14 March 2008).
[30] *Law Amending the Law on Higher Education*. Official Gazette of the Republic of Macedonia 17/2011 (11 February 2011).

Another development regarding higher education in the post-2001 period which was not directly stipulated in the OFA is the introduction of state-sponsored education in the framework of the University of Tetovo. The long-standing demand of ethnic Albanian was fulfilled after whole 10 years. A special law was assigned in 2004 to establish the institution with five Faculties[31]. The law was amended in 2008 to increase the educational scope to a total of 11 Faculties[32].

The "Law on Languages"

The Law on the Use of Language Spoken by at least 20% of the Citizens in Macedonia and in the Units of Local Self-Government (also known as the "Law on Languages")[33] has been adopted as the very last of the legal modifications intended with the OFA agenda, nearly seven years after the signing of the Agreement. As we saw, the main OFA language-use provisions have been incorporated in the Macedonian legal system with the adoption of the Constitutional amendments. Additionally, several existing laws were amended to bring the legal framework in accordance with the Constitutional amendments from 2001. In this kind of situation, the Law on Languages, adopted in mid-2008, did not introduce anything new, but is important for several reasons. First and foremost, for the first time a law was adopted which regulated the use of minority languages in all segments of the public life. Also, the law was successful in systematizing all language use provisions previously "scattered" trough the legal framework. Some rules which were not a part of the legal framework, but were included in some bylaws, such as the rules regarding the use of minority languages in the Parliament or the use of minority languages in the election process, were now legally codified. Moreover, the law worked-out further definitions regarding the spheres of use of languages and addressed some inconsistencies which needed a more detailed elaboration e.g., the principles of communication with the central organs and the principles of communication with the Court were better developed.

The following list shows the realms where the use of a minority language is permitted, in accordance with the structure and substance of the Law on Languages:

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[31] *Law Establishing the State University in Tetovo*. Official Gazette of the Republic of Macedonia 8/2004 (23 February 2004).

[32] *Law Amending the Law Establishing the State University in Tetovo*. Official Gazette of the Republic of Macedonia 81/2008 (07 July 2008).

[33] *The Law on the Use of Language Spoken by at least 20% of the Citizens in Macedonia and in the Units of Local Self-Government,* Official Gazette of the Republic of Macedonia 101/2008 (13 August 2008).

1. *In the Parliament*: MPs that belong to a community which uses an official state language different than Macedonian may use that language when addressing the Parliamentary Assembly, the Parliamentary working bodies, and even when chairing a working body. This possibility is strictly reserved for the MPs of the community that exceeds 20% of the citizens in the Republic (article 3).

2. *Communication between the citizens and the main and regional offices of the Government*: a person may use other official language different than Macedonian in communication with the main offices of the Government (i.e. the Ministries). If a person lives in a municipality where at least 20% of the population uses an official language different than Macedonian, that person can also communicate in that language with the regional office of the Government based in the respective municipality (article 4).

3. *Use of languages in court proceedings*: The members of the community which compromises at least 20% of the Macedonian population may use their language in all court proceedings and in all phases of the court procedure, in equality with the use of Macedonian. Some provisions found in this law are also relevant for persons speaking other languages, especially in the criminal procedure where a person is offered free help from a court translator at any stage of the process (articles 5-14).

4. *Other use of languages connected to the Court*: The Law also provides that judges and jurors, as well as the members of the Judicial Council may sign they oath on an official language other than Macedonian, but they always must give it orally in Macedonian. In municipalities where another language is used as official, the name, the place and the judicial stamp of the Court are written and shown in that language, next to Macedonian (article 15-17).

5. *Use of languages in the general administrative procedure, the procedure of enforcement of sanctions and in the tax procedure*: The same rules are used as in the procedure of citizen's communication with the central and regional offices of the Government. The 20% margin is of crucial importance for other languages to be used next to Macedonian (articles 18-19).

6. *Communication with the Ombudsman*: any person can communicate with the ombudsman in any of the official state languages; the Ombudsman is obliged to reply in that

language, next to Macedonian. All proceedings which are conducted before the Ombudsman can be handled in one of the official state languages (article 20).

7. *The election process and the processes of direct democracy*: a possibility is opened for the use of other languages next to Macedonian in the Municipal Election Commissions and the Election Boards – only if the respective municipality has introduced a minority language as official. Both in local and parliamentary elections, the official municipal language can be used next to Macedonian when submitting the election lists. The State Electoral Commission is obliged to publish the election lists in all official state languages, and at the local level in the official language(s) relevant for the respective municipality. The instructions for voting are issued in the languages used by all communities in the state, written in the Constitutional Preamble. The ballot is always written in Macedonian but in municipalities where other languages are used as official those languages should also be used. If a candidate or a submitter of an election list belongs to one of the non-majority communities then his name is written in the alphabet of his respective community, next to Macedonian. The ballots for a referendum on central and local level, as well as the form for citizen initiative, are written in Macedonian and in the languages used in the respective municipality as official (articles 21-28).

8. *Personal documents*: the form for issuing an ID, and the form for issuing a Passport are both published in Macedonian, and for citizens speaking other official state language – in that language and alphabet (a formal request is needed). If a citizen uses an official language different than Macedonian, then, through a request, the data in his passport and ID can be written in his own language, next to Macedonian. If a citizen is using language different than the official, than the personal data written in the ID and in the Passport (name and surname) is written in his language and alphabet, next to Macedonian; and also, only if he/she requests so (articles 29-30).

9. *Citizen evidence*: Citizen evidence is always written in Macedonian and its Cyrillic alphabet. In municipalities where over 20% of citizens use an official language other than Macedonian the form, the data and the excerpt from the citizen evidence are also written in that language and alphabet, next to Macedonian (article 31).

10. *Police powers*: provisions are entered that when a person is detained, he/she must be informed in a language that he/she understands (Article 32).

11. *Broadcasting*: certified broadcasters must broadcast at least 30% of their daily program and music in the Macedonian language or in the languages of the minority communities. Foreign program must be translated, either in Macedonian or in the languages of the minority communities. One of the TV channels edited by the state-sponsored television service – the Macedonian's Television Channel Two – must broadcast programs in the language of the community which compromises at least 20% of the population and in the languages used by other non-majority communities (articles 33-39).

12. *Infrastructure facilities*: the names of streets, squares, bridges and other infrastructure facilities are written in Macedonian and in the other official municipal languages relevant for the respective municipality (Article 40).

13. *Language use in local self-government*: the provisions in the Law on local self-government from 2002 that regulate the official use of languages in the municipalities are incorporated into the Law on Languages without any changes (articles 41-43).

14. *Economy and finances*: the name of a company is always written in Macedonian, but if the company is settled in a municipality where 20% of the population uses another official language then a possibility is opened for the name of the company to be also written in that language. The trade books can also be written in an official language other than Macedonian if the company is registered in a municipality where over 20% of the population uses other official language (articles 44-47).

15. *Education and science*: all provisions connected with language use in the primary, secondary and higher education, are incorporated in this law, without any novelties. Though, systematization of the provisions, previously scattered through the laws seems like a good practical achievement (articles 48-53).

16. *Culture*: open competitions for projects of national interests are published by the Ministry of Culture in both Macedonian and in the other official state language(s). The Badge given to the cultural ambassadors of the Republic can also be written in another official state language, next to Macedonian. Local libraries which are established in municipalities where other language is spoken by at least 20% of the population can handle their evidence and catalogue in Macedonian and in the other official languages in that municipality (articles 54-56).

17. *Free access of information*: the request procedure can be handled both in Macedonian and in the other official language(s) at the national level (Article 57).

18. *Publication of acts*: laws are published in the Official Gazette, both in Macedonian and in the other official language(s) spoken by at least 20% of the citizens of the Republic (Article 58).

Conclusions and next steps

With the adoption of the Law on Languages, a specific policy field which "roots" are found in the OFA-provisions was further defined. As a method of conclusion regarding the overview of the legal framework, Table 2.1 presents the most relevant constitutional and legal modifications "triggered" by the OFA and concerning minority language-use. The procedural provisions of the OFA and related to language policy are not included.

Table 2.1: Overview of OFA's impact on the Constitutional and legal framework of minority language use

Sphere	Substantive OFA Provisions	Constitutional Amendments	Legislative Modifications
Official Usage of Languages	Paragraphs 6.4., 6.5., 6.6. and 6.8	Amendment V to Article 7.	In *Law on Local Self-Government* (2002)
			In *Law on Use of Language spoken by at least 20% of citizens in Macedonia and in the Units of Local-Self Government* (2008)
Education in Minority Language	Paragraphs 6.1. and 6.2.	Amendment VIII to Article 48.	In elementary education: amendments to the Law on Elementary Education (2004); a new Law on Elementary Education (2008)
			In secondary education: amendments to the Law on Secondary Education (2004)
			In higher education: amendments to the Law on Higher Education (2003); new *Law on Higher Education* (2008), amendments in 2011; *Law Establishing the State University in Tetovo* (2004)

The OFA-initiated changes can also be assessed by locating them to a point in time. The following *timeline* (Table 2.2) overviews the legal acts which brought the most relevant changes in the language-use regime for the whole reviewed period.

Table 2.2: Timeline of regime change (relevant language-use provisions 1991-present day)

Year	Law (Relevant articles)	Official Gazette
1991	Adoption of the Constitution of the Republic of Macedonia (articles 7 and 48)	52/1991
1995	Adoption of the Law on Local Self Government (articles 88-90)	60/1995
	Adoption of the Law on Primary Education (articles 8, 67, 81)	44/1995
	Adoption of the Law on Secondary Education (articles 4, 31, 59, 73)	44/1995
1997	Adoption of the Law on Languages in which tuition is held at the Faculty of Pedagogy "St. Clement of Ohrid" in Skopje	5/1997
1998	Adoption of the Law on the Use of the Macedonian Language[34]	5/1998
2000	Adoption of the Law on Higher Education (Article 95)	64/2000
2001	Adoption of the **OFA Constitutional amendments** (amendments V, VIII and X)	91/2001
2002	Adoption of new Law on Local Self-Government (articles 89-90)	5/2002
2003	Adoption of the Law Amending the Law on Higher Education (Article 23)	49/2003
2004	Adoption of the Law Establishing the State University in Tetovo	8/2004
	Adoption of the Law Amending to the Law on Primary Education (articles 4, 21, 33, 45, 54)	63/2004
	Adoption of the Law Amending to the Law on Secondary Education (articles 2, 14, 18, 31, 36)	67/2004
2008	Adoption of new Law on Higher Education (Article 103)	35/2008
	Adoption of the Law Amending the Law Establishing the State University in Tetovo	81/2008
	Adoption of new Law on Primary Education (articles 3, 9, 14, 19, 42, 80, 82, 100, 104)	103/2008
	Adoption of the Law on Use of Language Spoken by at least 20% of citizens in Macedonia and the Units of Local Self-Government	101/2008
2011	Adoption of the Law Amending the Law on Higher Education (Article 12)	17/2011

[34] *Law on the Use of the Macedonian Language*. Official Gazette of the Republic of Macedonia 5/1998 (31 January1998).

Accordingly, the most relevant legal acts that regulate minority language use at present day (2013) are:

- The Macedonian Constitution – sets the basis for official use of language at national and local level and use in education; places safeguards in the hands of minority groups in the decision making process regarding language use at the national level.
- The Law on Use of Language Spoken by at least 20% of citizens in Macedonia and in the Units of Local Self-Government – encompasses both spheres of official use and education; specifies the scope of use.
- The Law on Local Self-Government from 2002 – specifies the rights and scope of use at the local level; places safeguards in the hands of minority groups in the decision making process regarding language use at the local level.
- The Law on Higher Education from 2008 – prescribes state sponsored education on a minority language; specifies the scope.
- The Law Amending the Law establishing the State University in Tetovo.
- The Law on Primary Education from 2008 – specifies the use in primary education.
- The Law on Secondary Education from 1995 and the Law Amending the Law on Secondary Education from 2004 – both specify the use in secondary education.

The broadening of the scope of use, starting from 2001, has been initiated by a political agreement tailored to sustain an armed conflict. This context attaches several important characteristics to the language-use regime. The content of the legal framework also causes specific effects. Based on the obtained data from the analysis of the legal framework, presented in this chapter, the following chapter will analyze both the characteristics and the effects which the regime influences. The benefit which different linguistic groups experience will be assessed in the next chapter.

Chapter Three – What kind of a model? Reflections on the post-2001 language-use regime

The examination of the legal framework relevant for language-use led this study to an understanding of the specific model employed in Macedonia. The objective in this chapter is to conceptualize the changes through reliance on classifications presented in Chapter I. Moreover, another objective is to discuss the level of benefit which different linguistic communities experience as a result of the incorporation of the OFA in the legal system. Chapter II provides us with a solid basis to discuss these points.

Previously, a distinction was made between regimes and policies that employ positive and negative rights, and it was emphasized that the later induce promotion-oriented policies towards the languages of linguistic minorities. When comparing two periods (1991-2001 and 2001-present day) it can be concluded that an already established promotion-oriented model which employed positive linguistic rights was heavily reinforced through OFA developments. The characteristic of both periods is shared – the state was in both cases obliged to devote resources to the goal of promoting linguistic diversity by providing both official use of minority languages and education. Post-2001 the scope of use was considerably broadened to introduce official use of minority languages on the national level and also higher education. When comparing both periods in the framework of the positive vs. negative distinction, a conclusion prevails that the list of positive rights was broadened and as a result promotion-oriented policies were strengthened post-2001. This seems quite straight-forward to conclude.

The "tension" between personal and territorial orientation

Another theoretical distinction used here is the one between regimes that rely on territorial and personal rights. This distinction emphasizes the territorial space where collective linguistic rights are assigned and made available to individuals. It could be that either these rights are available only in one (or more) part(s) of the state, or they are available on the whole territory of the state. The theoretical basis for the distinction was presented in Chapter I through Harold Schiffman's definitions (1996, 29). When we apply this distinction to the Macedonian case we discover a rather "blurred" picture as, overall, the model relies on both types of rights. Those sets of rights

which are confined to the national level possess characteristics of personal rights as they are available to minorities on the whole territory of the Republic. Meanwhile, some sets of rights are confined to the territorial logic as they are solely available within particular units of local self-government where minority communities are based in a considerable number. In order to characterize the regime at hand, I offer a detailed picture of exactly which type of language-use right is available and in which realm of state function.

I identify *14 realms* where minority language can be used for handling "public businesses". Every single identified use of language of a non-majority community in each of these realms is confined to a logic which follows either the territorial or the personal principle. Thus, linguistic rights which are directed at the national level (i.e. personal rights) are identified in the following realms/situations: in the discussions of the Parliament of the Republic, the Court procedure, in citizen communication with the state institution of the Ombudsman, in the election process, in the process of issuing of personal documents, in the enforcement of sanctions, broadcasting, education, culture, free access to information and the publication of acts. On the other hand, linguistic rights which are restricted to particular units of local self-government (i.e. territorial rights) are available in the following realms/situations: in communication between citizens and regional Government offices and units of local self-government, in the general administrative procedure, in the process of enforcement of sanctions, some issues connected with the work of the Court, the election process, the evidence of citizens, when writing the names of infrastructure facilities, when handling evidence of finances and economy and when handling the evidence and the catalogue of local libraries.

The following table (3.1) provides an overview of realms and actual situations where linguistic rights are practiced in the form of either territorial or personal type. The table is drafted according to the Law on Languages which has presented maximum concretization of the policy sphere of language use. Note that some of these realms are confined to the double territorial/personal logic in different situations, and thus the mixed record when concerning the overall character of the model comes to the fore. This kind of duality does not need to represent ambiguity, but rather a much needed necessity for a successful functioning of the Macedonian model.

Table 3.1: Personal and territorial linguistic rights in the post-2001 regime (1 of 3)

Realm of use	***Personal*** rights associated with the realm of inquiry	***Territorial*** rights associated with the realm of inquiry
The Parliament	MPs from the 20% community at the national level may chair and address the Assembly and the parliamentary working bodies; Parliamentary materials are issued in the language of that community *(Article 3)*	/
State institutions	Citizens from the 20% community at the national level may communicate with the main offices of the Government *(Article 4)*, communication with the Ombudsman can also be handled in that language *(Article 20)*	Citizens from the 20% community at the national level if constitute 20% in the LSGU may communicate with the regional offices of the Government on the territory of the LSGU *(Article 4)*
LSGU bodies and organs	/	Official use of languages of 20% communities in the LSGU: communication in and with municipality bodies and companies *(articles 41-43)*
The Court Procedure and rights connected to the Court	Citizens from the 20% community at the national level can communicate within all court procedures and all phases, provided by the courts *(articles 5-14)* Members of the Judicial Council may sign their sworn statement on the language of the 20% community at the national level *(Article 17)*	Courts in LSGUs where the 20% community at the national level constitutes 20% in the LSGU provide judges and jurors to sign their sworn statement in that language; also the name, place and the seal of the court in such LSGUs are written in that language *(Article 15)*; In such LSGUs the general administrative procedure and the procedure of enforcement of sanctions may be handled in that language *(articles 18-19)*
Free access of information and publication of acts	Requests and the procedure for free access of information can be handled in a language of the 20% community on the national level; the publication of acts in the Official Gazette is also done in this language (articles 57-58)	/

Table 3.1. Personal and territorial linguistic rights in the post-2001 regime (2 of 3)

Realm of use	***Personal*** rights associated with the realm of inquiry	***Territorial*** rights associated with the realm of inquiry
The election process / Direct democracy (articles 26-28)	The election list for parliamentary elections are published in the language of the 20% community at the national level *(Article 23)* Instructions for voters are published in all languages of the communities in the Preamble *(Article 24)* Names of candidates are written in the lists on their own language and alphabet, applicable for all communities *(Article 25)*	Communication in the Municipal Election Commissions and Election Boards can be handled on the language of the 20% community in the LSGU; the election lists may also be written on that language if a community constitutes 20% within the election unit for parliamentary elections, or, within the LSGU for local elections; the election lists for LSGUs are published according to the same rule *(articles 21-23)* The election ballots for voters in the LSGU are published on that language *(Article 25)* Ballots for central and local referendums are published on the language of the 20% community at the national level if the same community constitutes 20% in the LSGU *(articles 26-27)*
Personal documents	The formal requests for obtaining ID and passports are issued and delivered in the language of the 20% community on national level; data in ID and passport can also be written in that language; upon request, names and surnames are written in personal documents on any of the languages and alphabet of the non-majority communities (articles 29-30)	/
Enforcement of sanctions	Information upon detention are given on the persons' language, in accordance with international standards *(Article 32)*	/
Evidence of citizens	/	In LSGUs where a 20% community on national level constitutes 20% of the population in the LSGU, citizen evidence is handled and issued on the language of that community *(Article 31)*

Table 3.1. Personal and territorial linguistic rights in the post-2001 regime (3 of 3)

Realm of use	***Personal*** rights associated with the realm of inquiry	***Territorial*** rights associated with the realm of inquiry
Names of infrastructure facilities	/	In LSGUs where a community constitutes 20% of the population, the names of streets, squares, bridges and other infrastructure facilities are written in the community's language *(Article 40)*
Broadcasting	Broadcasters are obliged to provide 30% of the daily program and 30% of the broadcasted music on Macedonian or on the languages of communities; foreign language programs should be either translated to Macedonian or on the languages of communities; the state managed Macedonian Television broadcasts one television channel on non-majority languages *(articles 33-39)*	/
Education	All students from the non-majority communities may study on their own mother tongue in primary and secondary education, including study materials and handling and issuing documentation; the 20% community on national level has the right of state-organized higher education in its language *(articles 48-53)*	/
Finances and economy	Tax books and tax evidence can be handled in the language used by the 20% community on national level *(Article 45)*	In LSGUs where the 20% community at the national level constitutes 20% in the LSGU, the language used in the tax procedure may be that of the community; names of companies can also be written in that language *(articles 44 and 46)*
Culture	The certificate for cultural ambassadors may be written on the language of the 20% community on the national level *(Article 55)*	The evidence and catalogue of local libraries can be handled on the language of the 20% community on the national level, provided that the community also consists 20% of the population in the LSGU *(Article 56)*

As Table 3.1. shows the Macedonian regime of minority language use relies on both personal and territorial rights. Sometimes, the "mixture" is provided within a realm, while, in other cases a specific realm is characterized by one type of rights. My argument here is that this arrangement was made intentionally to limit the use of Albanians on specific territories of the state, when possible. As the reader will be able to see more precisely during the examination of standpoints of political parties (more specifically case-study #2), the Macedonian side can be generally explained as in "fear" of "linguistic federalization". Thus, the reliance on the territorial model aims to limit the possibility of "linguistic federalization", which was perceived by the titular group as successful if the Macedonian and the Albanian language are equalized in both instrumental and symbolical value. The examination of the level of benefit which linguistic communities' experience, that follows in this chapter also seems to confirm this interpretation.

Examination of benefit regarding the resolution of the official language problem

Another aspect which is also notable and which can assist the comparison between the two periods is the scope of benefit which non-majority communities experience as a result of the regime. It is the fact that in both cases the single identified language in the Constitution is the one of the dominant group. Other languages which hold rights of use are identified through size of the group as a portion of population, but are never pronounced as such in the legal framework. Thus, while the Macedonian language is used as official on the whole territory of the Republic, since 2001 the language of the group which compromises 20% of the whole population is also used, though with a smaller scope. In comparison, from 1991 to 2001 such a possibility was not in place. Also, in the first period, a community could discover benefit in official use at the local level if it compromised 50% of the population in the LSGU, while post-2001 this requirement was decreased to 20%. This benefit, derived from the legal framework can be represented in a two-layered structure for the period 1991-2001 and a three layered for the post-2001 period. This structure of layers is a function of the assigned scope of use, meaning that layer 1 possesses greatest scope (importance), while all subsequent layers hold a decreased scope (importance).

This understanding reinforces when taking into account the general characteristic of the legal framework to non-pronounce the minority languages and to assign numerical group requirements to grant rights. The situation could be different if, for example, post-2001 the Constitution

assigns rights of communication with central organs to the *Albanian community*, instead to the *community of 20% of the population*.

Yet again, I argue that this was done intentionally. The OFA aimed to provide a basis for reconciliation of the two communities in conflict. Ethnic Macedonians were not keen to allow equalization in regard to the symbolic importance and the instrumental value of the Macedonian and the Albanian. The adopted solution satisfied the ethnic Albanian demands, but at the same time, did not equalize the scope of use, which suited well for ethnic Macedonians. Moreover, the Albanian language remained non-pronounced and this is very important from a symbolic point of view. Thus, comparing the two periods, the Macedonian language has remained the *most important* language used in the state, and this is shown through Table 3.2. Other languages which fulfill numerical requirements claim a certain set of rights, but this set is rather "tighter" in comparison to the scope of use of Macedonian. In these terms, it makes sense to overview the benefit which different languages and communities experience as a subject of a layered structure of the regime.

Table 3.2: Layered structure of the Macedonian language-use regime

	1991-2001	2001-present day
Layer #1	The Macedonian language: single official state language used for any purpose on the whole territory	The Macedonian language: single official state language used for any purpose on the whole territory
Layer #2	Languages of nationalities: used as official on local level if fulfill the numerical requirement; used in higher education on one state faculty	Languages used by the community 20% on national level: official use at national level; state sponsored higher education
Layer #3	/	Languages used by communities below 20% on national level: can be used as official on local level if conditions are fulfilled
Basic layer: minority language-use not confined to the 20% requirement: tuition in primary and secondary education, court procedure (in accordance to international standards) and other basic human rights and freedoms.		

The transition from one period to another has redefined the layered structure in which Macedonian stands on the top in both cases. The numerical requirements for the minority groups were decreased and more groups compared to previously could find benefit. Layer #2 was opened for the group(s) which constitutes 20% of the population at national level, so its benefit has greatly expanded.

But, as it was emphasized, the legal framework does not mention the communities in question, but assigns numerical criteria. Thus, the key of understanding how the legal provisions worked for the minority communities in both periods is to combine demographic data with the territorial division of local self-government, at least when regarding official use of languages. This will show us the level of benefit which is provided by the regime for the linguistic communities which reside on the Macedonian territory. Here, I will only concentrate on the post-2001 period, when the rules are greatly "liberalized" and the possibilities for non-majority communities have greatly expanded.

Demography as a factor of benefit

Regarding the official use of languages at the national level and the use of languages in higher education, things seem quite straight-forward. The census from 2002 (State Statistical Office 2005), the most recent in Macedonian history reveals that the sole community which surpasses 20% at the national level is the Albanian[35]. This community is eligible for official use of its language at the national level and in higher education.

On the other hand, in order to draw conclusions on the level of benefit regarding the official use of languages at the local level, we need to combine demography with the territorial organization of local self-government from 2004[36].

From 84 municipalities in total, 32 have at least one minority community which accounts for 20% of the population, and thus are obligated to establish local language policies in the manner regulated in the legal framework. Concerning these 30 municipalities: 26 are ones in which the Albanian community consists over 20% of the population (not including the city of Skopje where

[35] According to the 2002 census, the ethnic communities on Macedonian territory are represented as follows: Macedonians 64,18%, Albanians 25,17%, Turks 3,85%, Romas 2,66%, Serbs 1,78%, Bosniaks 0,84%, Vlachs 0,48% and others 1,04%. The census registered total population of 2022547 inhabitants.

[36] *Law on Territorial Organization of Local Self-Government in Macedonia*. Official Gazette of the Republic of Macedonia 55/2004 (16 August 2004).

20.49% of inhabitants belong to the Albanian community), while in two of these 26 municipalities the Serbian and the Romani community are also present and fulfill the 20% requirement. Four municipalities are ones where the Turkish community consists more than 20% of the population. Table 3.3. overviews the municipalities in question.

Table 3.3: LSGU's obliged to provide official use of minority languages

<table>
<tr><th colspan="2">Albanian in official use</th><th>Turkish in official use</th><th>Serbian in official use</th><th>Romani in official use</th></tr>
<tr><td>Aračinovo
Bogovinje
Brvenica
Butel
Vrapčište
Gostivar
Debar
Dolneni
Želino
Zajas
Zelenikovo
Jegunovce
Kičevo
Kruševo
Kumanovo</td><td>Lipkovo
Oslomej
Petrovec
Saraj
Sopište
Struga
Studeničani
Tearce
Tetovo
Čair
Čaška
Čučer Sandevo
Šuto Orizari</td><td>Vraneštica
Mavrovo i Rostuša
Plasnica
Centar Župa</td><td>Čučer Sandevo</td><td>Šuto Orizari</td></tr>
<tr><td colspan="4">Total cases per LSGU:

Albanian: 28
Turkish: 4
Serbian: 1
Romani: 1

Total LSGUs: 32
Total population: 828735</td></tr>
</table>

Out of 28 municipalities where the Albanian community consists at least 20% of the population 16 are ones in which the Albanian community forms a majority, in some cases up to 97-98%[37]. The other 12 municipalities are inhabited by a considerable number of ethnic Albanians. Two of these eight municipalities have more than one community which qualifies as holder of rights of official usage: 28.56% Serbs as a part of the population are settled in Čučer Sandevo, while the Romani community compromises a majority in Šuto Orizari – 60.60%. Thus, these two units of

[37] Over 50% Albanians inhabit the municipalities of Aračinovo, Bogovinje, Brvenica, Vrapčishte, Gostivar, Debar, Želino, Zajas, Lipkovo, Oslomej, Saraj, Struga, Studeničani, Tearce, Tetovo and Čair.

local self-government are 'bounded' to provide official usage of language to more than one community. There are four municipalities where the Turkish community is entitled to official usage. Plasnica and Centar Župa have a majority of Turks within their boundaries, though it should be noted these two municipalities are very small – 4545 and 6519 inhabitants respectively.

The LSGUs that are bound to provide official use are thus very different in size and composition of population – the smallest, Vraneštica, has 1322 inhabitants, while the largest, Kumanovo, has 105484. A total of 828745 inhabitants live in the territory of these 32 units, which is 40,97% of the total population of the Republic of Macedonia. Within this sample, a total of 594760 inhabitants are members of a non-majority community, which is 71,77% and a total of 29,41% of the population. All these simple calculations indicate that the beneficiaries of the official use provisions are not a small portion of population, though the list of LSGUs is largely dominated by the second largest ethnic group in the country.

But, diversity is extremely high as there are exactly seven cases of groups which account between 15% and 20%. Through a margin of 5%-20%, as in the table, exactly 43 cases are identified. An example of high diversity is the municipality of Dolneni (13568 inhabitants): within its borders four big communities reside, the largest the Macedonian with 35,90%, the smallest the Bosniak with 17,49%, and the Albanian and Turkish in between.

All situations where a community has considerable number as a portion of the population in an LSGU, but does not surpass the 20% requirement is confined to the Layer #3. The decision to introduce the languages of these particular groups in official communication is in the hands of the representative body of the LSGU – the Municipality Council. Having a larger portion of the population is a favorable factor for obtaining political power within the Council by the ethnopolitical party or the political representatives of the group, which could use its relative power to bargain for the introduction of its language. That is why the table offers an extended margin of 5% to 20%, though the smaller the LSGU is the percentage might use its validity. The Municipality Council of Kumanovo, for example, "needed" 9062 ethnic Serbs (8,59%) and 4256 Romani population (4,03%) to establish official use in the Council for Serbian and Romani[38].

[38] See Municipality Council of Kumanovo (2010).

The Municipality of Gostivar introduced Turkish on equality with Macedonian and Albanian for 7991 Turks (9,86%) which reside in the LSGU[39]. Thus, size is important, both of the LSGU and of the group, so the following table should be viewed with caution. Given the fact that only 276 people living in Vraneštica from the Turkish community which represents more than 20% of the population of the LSGU have guaranteed official use – the compexity of determening potential location of promotion-oriented local language-use regimes only through numbers and percentages is futile.

Given these cautionary considerations, Table 3.4. presents all cases of LSGU's where a minority community accounts for 5%-20% of the population, whilst the bolded cases are LSGUs which also have a community over 20%. The logic behind this emphasis is in a possible readiness to introduce official use of a language of non-majority community if this is already a practice for another such language. This is also the case in municipalities Kumanovo and Gostivar, regarding the two pioneering attempts by their Municipality Councils to establish promotion-oriented policies on the local level (see Bliznakovski 2011).

[39] See Municipality Council of Gostivar (2010).

Table 3.4: LSGU's with 5-20% linguistic communities

5-20% as a part of the population	*Municipalities*	*Total cases per ethic community*
Ethnic Albanians	Gazi Baba (17.22%), **Mavrovo and Rostuša** (17.21%), Resen (10.68%), Ohrid (5.31), **Centar Župa** (6.96%)	*5*
Ethnic Turks	Vasilevo (17.28%), **Dolneni** (19.14%), Karbinci (18.15%), **Studeničani** (19.05%), **Vrapčishte** (12.34%), **Debar** (13.73%), Dojran (11.73%), Konče (14.73%), Radoviš (14.38), Resen (10.68%), Valandovo (11.21%), **Čair** (6.95%), **Gostivar** (9.86), Demir Kapija (7.57%), Drugovo (8.99%), **Kičevo** (8.06%), Lozovo (5.49%), Pehčevo (6.47%), Strumica (6.87%), **Struga** (5.72%), **Čaška** (5.10%)	*20*
Ethic Romani	Prilep (5.77%), Pehčevo (7.07%), Kočani (5.12%), **Kičevo** (5.41%), **Debar** (5.53%), Vinica (6.17%)	*6*
Ethnic Vlachs	**Kruševo** (10.53%)	*1*
Ethnic Serbs	Staro Nagoričane (19.13%), Rosoman (9.88%), **Petrovec** (5.03%), **Kumanovo** (8.59%), Ilinden (5.74%), Dojran (8.09%), Valandovo (5.37%), Bogdanci (6.03%)	*8*
Ethnic Bosniaks	Gradsko (12.37%), **Dolneni** (17.54%), **Studeničani** (9.64%)	*3*
Total number of cases		*43*

Conclusions on the effects of the OFA language-use regime

The insurgence of the largest ethnic group and also the largest linguistic community is thus also beneficial for the others groups to some extent, though there is no doubt that the model is tailored to fit the ethnic Albanian demands with regard to the ethnic Macedonian position over the status of the titular language. It seems that the Turkish community has potential of greatest benefit, even more than the Albanian, to receive rights of official use at local level. The Turkish community compromises considerable portion of the population in several larger urban LSGUs. To my knowledge, Gostivar is the only LSGU which has employed Turkish in official use through a Council decision and it has done so on equal par with Macedonian and Albanian.

Regarding education, the combination of data of total students and students which study on their mother tongue in primary and secondary education, as well as the teaching staff for the year 2010/2011 shows that Albanian students are inclined in higher numbers to study in their mother tongue than Turks and Serbs (Table 3.5). This is the case, even though there are 15 LSGUs with schools where tuition is held on Turkish, and several where tuition is done in Serbian on both educational levels (Ali Čupi 2011).

Table 3.5: Total students in primary and secondary education, total students on mother tongue, total teaching staff*

Group/Students/Staff	Total students	Students on mother tongue	Total teaching staff
Albanians	92874	90278	5850
Turks	9047	3990	366
Serbs	1771	274	/

*Table is compiled from data for the school year 2010-2011. See Ali Čupi (2011).

Thus, if considering the layered structure, the Albanian claims level #2 and the others claim level #3, with a remark that the Albanian also claims level #3 in the post-2001 regime (in some specific situations). Its scope of use is largest in both official communication and education, according to the number of LSGUs and students in elementary and secondary education.

The rights of use of the languages of non-majority communities are practiced in both personal and territorial logic. Some rights in the electoral procedure are example of the former type and traffic signs and communication with local communal enterprises in matters of bills etc. are an example of the later.

In answering the problem of what are the characteristics of the model, I offer the following points of definition:

First, ***the regime is promotion-oriented*** towards minority languages, with clearly defined rights of use in two crucial spheres of official use and education.

Second, ***the regime employs both personal and territorial rights***. The effect of this is the transfer of language policy competences from the central to the local level. Due to different contexts of LSGUs and due to the uncertainty of the legal framework what is "official use" the Councils might adopt different arrangements under the same cloak. This is the case of two LSGUs, Gostivar and Kumanovo, which Councils have adopted a maximalist and a minimalist

interpretation of the "less than 20% rule" to provide rights of use for their "small" non-majority communities (see Bliznakovski 2011). Also, ***the set of personal rights are mostly applicable to the Albanian community***, though there is also a smaller set which is applicable to all. I already mentioned that I consider this solution as intentional and I attribute it the role of ideology, so this point presents an entrance towards the crucial chapter of this thesis – Chapter IV.

Third, ***the structure of the model***, if viewed in terms of benefit for the communities, ***is three-layered, with the titular language claiming layer #1***. The Macedonian language is the single pronounced language in the Constitution. According to Frčkovski, this was done to provide a certain illusion of non-equality in the eyes of ethnic Macedonians and equality in the eyes of ethnic Albanians (2007, 130-131). Layer #3 is the chance for the smaller communities in the model largely shaped by the demands of the Albanian community.

Finally, the indicators of effects which were included in the data-set confirmed that the model perfectly suits the Layer #2 community in practice. In primary and secondary education more than 95% of ethnic Albanian students study in their mother tongue. In contrast, Turkish and Serbian students do so lesser frequencies. Official use at the local level bests suit the Albanian community, but also the Turkish, Serbian and Romani communities find benefit[40].

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Given the fact that the language-use regime is basically tailored to suit the ethnic Macedonian and the ethnic Albanian communities, it is further interesting to see how the political elites from both groups clash over issues of language. This will be done in the next chapter with reliance to the concept of language ideology. The characterization of the regime which was done in this chapter was thus important to set the basis for the overview of ideologies which reflect on the current regime, and either attempt to preserve the status quo, or attempt to provide arguments for change.

The language-use regime is an important referential point for language ideologies. They accept it, promote it, and/or dispute it. Given the fact that the level of benefit is largely unequal,

[40] The use of Romani is flawed with difficulties, as the standardization of this language is "not an act, but (still) a process. It takes place over time through usage and acceptance" (Friedman 2003b, 188). Thus, the use of the Romani language with regard of the benefit has yet to reach its full potential.

political actors have a material over which they can clash. The overview of the legal framework in Chapter II and the characteristics of the language-use regime in Chapter III provide us with a background to assess ideological stances of political actors more comprehensively.

Chapter Four – Party politics over language and the role of ideology

While the legal level was identified as the most concrete manifestation of what represents the dominant view on the substance of a *'good language policy'*, the political level illustrates the diversity of understandings in the ethnically-divided Macedonian society. This is the case particularly because one of the most striking features of Macedonian political life is the existence of political organizations established and managed along ethnic lines. Today, in post-OFA Macedonia all ethnicities can claim at least one political party which represents them on the two levels of governance. The Macedonian and the Albanian political parties are understandably the biggest and most politically "potent", though the parties of the smaller ethnicities such as the Turks, Serbs and Romas have gained ground and some of them have reached to political power at both central, and more frequently, at the local level.

In this chapter I will focus on views, attitudes, opinions and actions that political actors express and which are in some way or another related to the research problem – the Macedonian language policy, the regime, and language-use for non-majority communities.

I hypothesize that the political debate is largely framed by standpoints informed by nationalist ideology, which has profound effects on all phases of the language policy process. This claim will be tested with an analysis of the standpoints of political parties/ethnic camps (and wider public) over issues of language policy/language-use regime. For this to be achieved in a structured manner, five case studies are selected for the period of the time-frame. These five case-studies are highly representative for the issue in question. They all involve: certain demarcation of standpoints between and intra ethnic camps, they receive large attention in the public sphere and are often perceived as a critical factor of ethnic balance. Ideological standpoints will be traced in the framework of these five case-studies. But, before turning to the considered cases, the following section will provide an introduction to Macedonian politics. With this, the reader can assess the following pages in a more consistent way.

Introduction to Macedonian politics

The ethnic division and the informal rule

As it was mentioned, Macedonian political parties hold a strong ethnic prefix, and this has been a characteristic of the Macedonian political spectrum ever since the independence of the state. The first ethnic-Albanian party which managed to arrive at political power was now-weakened Party for Democratic Prosperity (PDP), which participated in the first and second multiparty governments in 1992-1994 and 1994-1998. Since then, each formation of the Macedonian Government was built on a basis of a coalition between an ethnic-Macedonian and an ethnic-Albanian party. This fact represents a mere "informal rule" from which the process of government formation can hardly abstain. This rule is "informal" because it was established from political necessity rather than a formal legal obligation. In a recent interview in one Macedonian daily newspaper, the former right-wing VMRO-DPMNE (VMRO – Democratic Party for Macedonian National Unity) leader Ljubčo Georgievski referred to his choice not to coalition with PDP in 1992 after winning the elections as "the biggest mistake" his party ever did (Utrinski Vesnik 2011). As a consequence, the opponent party from the Macedonian bloc, the Social democratic Union of Macedonia (SDSM), formed the 1992 Government together with PDP despite claiming the second place at the elections. Georgievski's statement illustrates the political severity of failing to comply with the "informal rule".

The OFA did not formalize this rule, though it strengthened it indirectly by introducing the procedure of double-majority voting. With this solution, the unitary character of a state heavily divided along ethnic lines, was not undermined. Post-2001, the biggest ethnic-Albanian party, the Democratic Union of Integration (DUI) proposed the rule to be somehow formalized due to VMRO-DPMNE's decision to exclude the Albanian winner in the 2006 elections from the new Government – a proposition which did not qualify as acceptable for nearly all political actors (Dnevnik 2007).

Thus, the "informal rule", gives the Albanian political forces a clear possibility to shape and re-shape policies while participating in the Government – which is, after all a very favorable situation, especially in the context of multicultural/language policies. The rule also creates a situation of ethnic division over matters such as "position" and "opposition". Most interestingly, while following the rule, some atypical political coalitions were formed during the past twenty

years. Such is the one between two right-wing and nationalist parties from both blocs – VMRO-DPMNE and the Democratic Party of Albanians (DPA) formed Government coalitions in two occasions: in the terms 1998-2001 and 2006-2008. This example shows how far political actors can go when guided by political necessity.

Democratic developments and the electoral context

With the Constitution from 1991 Macedonia was defined as a parliamentary democracy with the division of state powers on legislative, executive and judicial as a fundamental value of the constitutional order. General elections are held each forth year. The party which will win most seats in the Parliament receives a mandate from the President of the Republic to form the Government. If not successful, the mandate is given to the runner-up party. The party system was fragmented from the start, so all Macedonian governments have been broad coalitions of many political subjects to achieve the needed 60 out of 120 seats in the Parliament[41].

The first multiparty elections took place in 1990, while the Parliament was constituted in January 1991. Macedonia was still a part of Yugoslavia until September and with a voter turnout up to 84,8% in the first round and 76,8% in the second, right-wing VMRO-DPMNE claimed 38 seats in the 120-seat Parliament, seven more than the next best opponents party (State Electoral Commission 1990). However, VMRO-DPMNE did not establish itself as a leading party as was unable to form a broader coalition government. In March, the Parliament appointed a technical government. Macedonia completed the referendum and the declaration of independence in September and the first party-led government under left-wing SDSM took office in September 1992 (Macedonian Parliament 1992).

The second general elections, held in 1994, proved that democracy in Macedonia is fragile as two big parties, VMRO-DPMNE and the Democratic Party (DP), decided to boycott the second round due to considered irregularities. The boycott dropped the voter turnout to 57% in the second round – 20 percentage points below the result in the first (State Electoral Commission 1994). The elections resulted in a second term for the SDSM-led government and in a Parliamentary composition dominated by the parties which formed the coalition (109 from 120

[41] *Electoral Code*. Official Gazette of the Republic of Macedonia 40/2006 (31.03.2006). From the term 2011-2015, the Macedonian Parliament is composed of 123 members as a result of the introduction of the out-of-country voting.

seats) (Macedonian Parliament, *MP's 1994-1998*). VMRO-DPMNE and DP remained influential and functioned as a *non-parliamentary opposition*.

During the two terms, the SDSM-led government included an Albanian partner – the Party for Democratic Prosperity (PDP) which had one ministerial post in the first and three in the second term (Macedonian Parliament 1994, 1996, 1997).

Power shifted after the 1998 elections, when VMRO-DPMNE's coalition won and managed to form a stable parliamentary majority joining with the DPA (Macedonian Parliament, *MP's 1998*-2002). DPA won three ministerial seats in the VMRO-led government. This government was in power until 2001 when the "National Unity Government" was appointed as a response to the conflict. The 2002 elections brought SDSM's coalition back in power and this time newly formed DUI was the partner (State Electoral Commission 2002) . Five ministerial seats were held by Albanian party. The elections of 2006, 2008 and 2011 were dominated by VMRO-DPMNE's coalitions in the Macedonian and by DUI's coalitions in the Albanian bloc (State Electoral Commission 2006, 2008, 2011). The government in the term 2006-2008 was led by VMRO-DPMNE and DPA. The DUI, despite winning inside the Albanian bloc, was an opposition party. In the last two terms, VMRO-DPMNE and DUI are the main coalition partners and biggest two parties within the ethic blocs. Table 4.1 shows the received mandates by political parties for all Parliamentary elections.

Table 4.1: Party and coalition mandates in the Macedonian Assembly according to election results (Source: State Electoral Commission; Assembly of the Republic of Macedonia, *Members of Parliament*: http://sobranie.mk/)

Party	1991-1994	1994-1998	1998-2002	2002-2006	2006-2008	2008-2011	2011-2015
VMRO-DPMNE	38		49	33 (coalition)	45 (coalition)	63 (coalition)	56 (coalition)
SDSM	31	63	27	60 (coalition)	32 (coalition)	27 (coalition)	42 (coalition)
DUI				16	17 (coalition with PDP)	18 (coalition)	15 (coalition)
PDP	17	13	14	2			
DPA (1997-2012) / PDPA-NDP (1990-1997)	5	4	11	7	11	11	8
Other parties and independent members	29 (Union of Reform Forces, Socialist Party of Macedonia, Democratic Party, Party for the Total Emancipation of Roma, Party for democratic prosperity of the Albanians in Macedonia and People's democratic party, Party of Yugoslavs in Macedonia, VMRO-Democratic Party)	40 (Liberal-Democratic Party, Socialist Party of Macedonia, Democratic Party of Turks, Party for the Total Emancipation of Roma, Democratic Union of the Albanian – Liberal Party, Democratic Party of the Albanians)	19 (Democratic Alternative, Socialist Party of Macedonia, Union of Romas)	2 (Union of Romas and NDP)	15 (VMRO-Peoples Party, DOM, PEI, New Social Democratic Party)	1 (PEI)	2 (RDK)
Total	120	120	120	120	120	120	123

Sample of parties for the case studies

The sample used for the case-studies is composed by the largest Macedonian parties – two from the ethnic Macedonian bloc and two from the Albanian per case. The sample is overall consisted by three Albanian parties, but for the cases the two biggest according to electoral support and won parliamentary seats are included. The logic of two camps where two contests are held is dominant in Macedonian politics, and the parties chosen here are also most dominant within their camps.

VMRO-DPMNE and SDSM established themselves as two leading parties inside the Macedonian bloc, the first declaratively oriented towards right-wing political ideology, while the second towards the left-wing. VMRO-DPMNE exhibited characteristics of people's party of ethnic Macedonians during the 1990s but post-2002 moved towards a modern conservative and demo-Christian orientation[42]. This value-change coincided with the change of party leadership. During the conflict, this was the largest party which stood opposed the OFA and later, towards its implementation, even though their party leader signed the Agreement.

SDSM was established as a reformed party of the Macedonian communists – formally and legally this party represents the legal successor of the League of Communists of Macedonia, the Macedonian branch of the League of Communists of Yugoslavia (1943-1990). After the independence the ideology of social democracy was embraced declaratively by party leadership[43]. Regarding ethnic issues SDSM claimed more moderate stance and stood in support of the OFA from the start.

In the Albanian bloc, DPA is one of the signatures of the Agreement which is active as a party since the early 1990s. This party leaned towards most explicit nationalist rhetoric to attract voters since most of the time acts from opposition. In the latter steps of the implementation of the OFA, DPA declared it to be "dead" and called for a new arrangement because of the failure of the current (Spasovska 2009).

During the 1990s, PDP was the biggest Albanian party which joined government in two terms and was one of the signatures of the OFA. From present point of view, PDP's role can be regarded as a moderate ethnic-based party which joined the SDSM-led coalitions but also offered

[42] See *Doktrina vrednosti na VMRO-DPMNE.*
[43] See *Social Democratic Union of Macedonia through the years*.

support for projects such as the Tetovo University. The electoral base of PDP significantly diminished after 2002 in the favor of a new rising party, the DUI.

The DUI is the most electorally supported party in the Albanian bloc since 2002 onwards. The main initiative for its forming came from the former leadership of the disbanded NLA. This party presented itself as a reform party, EU and NATO oriented, with an agenda which involved "full implementation of the OFA" as an important goal[44].

Five case studies and a non-nationalism test

Over the course of twenty years, political agents have been most visible in the presentation of ideas, attitudes, understandings etc. over the contents of the Macedonian language-use regime. Minority language-use issues have been quite salient in the public sphere, and often provoked much controversy. During the rise of controversy political parties appear as creators of public opinion, as well as its reflection. The following cases that I will examine illustrate these points, but moreover, through an analysis of certain marked events, we will arrive to an interpretation of the language ideology of political agents – and this is the precise intention of this chapter.

The case-studies are drawn from the whole 1991-present day period, though more cases are taken from the post-OFA period. Concerning the 1990s, the chapter offers an examination in the issue of Albanian higher education, which was the most challenging problem at that period. Post-2001 minority language-use has been in public focus in great length, starting with the negotiations on the OFA Constitutional Amendments and their subsequent adoption by the Macedonian Assembly, and ending with a recent dispute between the two largest communities, the Macedonian and the Albanian, concerning primary education. The selected case studies will contribute particularly to the understanding of the role of the main Macedonian and Albanian political actors.

[44] See Demokratska Unija za Integracija (2009), especially pages 79-82: Nashata vizija za multiethnichka demokratska drzhava (*Our vision for multiethnic democratic state).*

Case #1: The issue of Albanian higher education 1991-2001

> *This proposed law will solve only one segment of the problem, will solve the problem of 236 Albanian students of the Pedagogical Faculty. The law, in essence, has a political background, because the whole game is directed to manipulate the international factor and for the sole reason to marginalize the real needs regarding higher education in the Albanian language.*
>
> MP Hisni Shakiri, member of PDP, on the Law of Pedagogy during Assembly discussion, 1997[45]
>
> *Consciously or unconsciously, the Government insists to solve this problem partially, regardless of the fact that the essence of this issue is subtle and should be resolved in general... I call once again on all present MPs and others who are authorized to take the measure of this law… to not adopt it, because that law will be very modest and will be completely rejected by the Constitutional Court.*
>
> MP Zekir Kadriu, member of DPA, on the Law of Pedagogy during Assembly discussion, 1997[46]

Before the disintegration of socialist Yugoslavia, the Albanians from Macedonia could study at the level of higher education in their own mother tongue at the University of Priština, in the neighboring autonomous province of Kosovo. Post-1991 this situation would radically change. First, Priština would now be located in another state, and second, the autonomy of Kosovo would be abolished during the Miloševič regime. The capital of Kosovo has represented the educational and cultural center of the Yugoslav Albanians prior to the disintegration. The new situation forced the Albanians from Macedonia to consider alternatives regarding higher education. Thus, the idea of state-sponsored higher education in the Albanian language started to gain ground in Macedonia since the early 1990s and culminated with the creation of the University of Tetovo in Mala Rečica by distinguished intellectuals from the Albanian community in late-1994. Simultaneously, the University was dubbed "illegal" from the authorities of the Republic of Macedonia, dominated by ethnic Macedonians, and on 17th February 1995 was closed following

[45] Macedonian Parliament (1997).
[46] Ibid.

a police intervention[47]. The closing of the un-recognized institution was accompanied by demonstrations, high scale riots and street-fighting between the police and a large group of the ethnic Albanians in the village of Mala Rečica. During the riots one ethnic Albanian was killed in police action. After these events, the University moved to another location and continued to offer educational activates, though not recognized by the state. From this time on, the Macedonian Albanians have demanded the "legalization" of the institution which issued degrees considered by the authorities as "fake".

In an attempt to bounce-back from the Albanian demands for state-organized education and legalization of the Tetovo University the Government led by SDSM pushed for the adoption of a law that would allow higher education in a minority language, limited to the Pedagogical Faculty and specific study groups (year 1997). The proposal entered Parliamentary discussion at a time when the ruling coalition controlled 109 from 120 seats, while the two largest opposition parties from the Macedonian bloc, VMRO-DPMNE and DP, which were opposed to the law, were functioning as a "non-parliamentary opposition". In this kind of situation it was quite certain that the proposal would ultimately pass.

When the proposal was put forward to the Assembly, students from the Macedonian ethnic background organized themselves in protest and paralyzed the center of the city of Skopje during February and March 1997. The protest escalated when students and high-school students from other Macedonian towns also joined to the central protest in Skopje, while smaller protests were also organized all over the country. After nearly a month of protesting in front of the building of the Parliament without result, a smaller group of about 20 students started a hunger strike. The parties from the non-parliamentary opposition started to support the students' goals more openly. This event would be remembered as the biggest protest of the Macedonian students in 20-year history of independent Macedonia. Although it was claimed that the issue of language policy in higher education triggered the protests, it finally turned against the Government and the ruling SDSM.

[47] Ljubomir Frčkovski, which at the time was head of the Ministry for Internal Affairs, recently speaking for a documentary program justified the need for police intervention to prevent "usurpation of two state facilities… (used) for private purposes". Apparently, the "illegal university" also illegally used state premises (excerpt from the documentary program on the Macedonian Radio and Television 2011).

The contents of the proposed law were deemed not to be fully satisfactory for the MPs from the Albanian bloc. The scope of the law was heavily criticized by all Albanian parties, regardless of their position or opposition status. Moreover, during the Assembly discussion, the Albanian MPs attempted to prioritize the problem of the "illegal" Tetovo University, maintaining the position that its "legalization" represents the focus of the demands of Macedonian Albanians. The MPs – members of the PDP, the coalition partner in the Government, maintained a slightly more moderate rhetoric than their rivals from the Albanian opposition parties. The MPs from the opposition DPA claimed that the law was a pure manipulation intended to hide the "real" problems of the Albanian community while their four-member parliamentary group declared that their vote would be negative.[48]

The 'legalization' of the Tetovo University was seen as the only solution to the problem of the Albanian higher education as proclaimed by the Albanian parties, while none of the Macedonian parties recognizes that as an alternative claiming that it would bring to the creation of parallel educational systems. The stable Parliamentary majority held by the SDSM-led government assured that the law would ultimately pass, despite the objections from both ethnic camps, and despite the biggest student-led protests Macedonia will ever see in its 20 year independence.

Case #2: OFA negotiations and ratification 2001

> *"Macedonia after the Ohrid Agreement and according to the reality in which we live after the implementation, is doomed on guaranteed quiet dying in national, demographic, economic, cultural, statehood and any other way…. We already live with our new Macedonian tragedy and agony, without a spark of hope!"*
>
> Ljubčo Georgievski, former Prime Minister (1998-2002) and leader of VMRO-DPMNE (1990-2003), personal column in daily Dnevnik from 2006 (Georgievski 2006)

The first step of the resolution of the 2001 conflict was the creation of the "National Unity Government" on the 13th May 2001 which brought together all relevant political actors, from both ethnic camps. During the summer, critical negotiations took place, which ended with the

[48] See Macedonian Parliament (1997).

signing of the Agreement by the four biggest political parties – VMRO-DPMNE and SDSM from the Macedonian side; and DPA and PDP from the Albanian side[49].

The future language-use regime was an important part of the negotiation process, as Popetrevski and Latifi (2004) point out in their report. The issue of the status of the Albanian language was one of the two most sensitive OFA-issues (and was negotiated for ten days), alongside with the issue of inclusion of ethnic Albanians in state institutions. The issue of Albanian higher education was also one of contestation, though the solution which allowed more than one official state languages paved the way for an acceptance of such a proposition.

The Albanian camp demanded equal status for Macedonian and Albanian as two official languages of the state, something that was deemed to be unacceptable by the Macedonian side. Because the Albanian minority is more-than-less located in the north-west part of the state, the Macedonian negotiating camp maintained that there is no need for full equalization of the statuses of the two languages. Moreover, the Macedonian side feared of linguistic federalization of the state, and off course, further federalization in all spheres, and was keen to keep the supremacy of the Macedonian language intact. The salience of the issues related to a future language-use regime which would promote Albanian as a language of official communication was confirmed at the event of the signing of the OFA. Arben Xhaferi (then president of the Albanian DPA) gave his first public statement after the signing of the Agreement to standing journalists in Albanian language – an act which made VMRO-DPMNE's leader and former coalition partner Ljubčo Georgievski to abandon the site immediately in an episode of protest.

The implementation of the OFA took some more time than it was intended, as the Macedonian opposition to the Agreement rode on popular opinion:

> *Macedonian politicians consciously articulated and at the same time manipulated widespread fears among ethnic Macedonians about their national identity, which many saw threatened by the terms of the Agreement. As a consequence, opposition arose mainly to those provisions which dealt with the identity of the state and had a more symbolic character.* (Brunnbauer 2002, 7)

[49] The two Albanian parties were communicating with the paramilitary NLA, which did not participate in the negotiations directly. Prior, in May 2001, the Prizren Declaration was signed between the political leader of the NLA, Ali Ahmeti and the leaders of DPA and PDP, Arben Xhaferi and Imer Imeri. This declaration paved the way for the start of the negotiation process without a direct participation of the NLA. See Rusi (2004).

In contrast to the language-use provisions, the issues connected with the amendments to the Preamble, the relationship between the state and the church, and the anticipated territorial re-organization where highly contested by the Macedonian side during the process of implementation (Ibid.). The formulation of the Preamble, which holds implications towards the conception of the state was a very controversial issue and was re-negotiated during the Parliamentary discussion. In the end, a civic conception of the state was overthrown and an "inclusive" Preamble was adopted. The implication of this towards language-use issues will be discussed in Chapter V. The three versions of the Preamble of the Macedonian Constitution (the 1991, the OFA and the 2001) are available in Annex 2 of this study.

> *For me, it was acceptable for Albanian not to be accepted as an official language, because if this proposal had not been accepted it would have meant the continuation of the war with thousands more victims.*
>
> Ali Ahmeti, former political leader of NLA, current President of DUI, statement from 2001 cited in Popetrevski and Latifi (2004)

Even though the official usage of the Albanian language represented a far-reaching reform, it was indeed carefully "stripped" from a high level of symbolic value. As Ljubomir Frčkovski points out, the formulation of the provision which allowed the usage of Albanian in official communication caused "double interpretation" – for ethnic Macedonians it declaratively failed to provide equal status for both languages and the supremacy of Macedonian remained, while for the ethnic Albanians it represented a satisfactory solution which allowed broad scope of use of Albanian in official communication (2007, 130-131).

Thus, the language-use debate in connection to the adopted OFA provisions was generally separated into two distinct, ethnically-based "currents". From the Macedonian side, the objective was to keep the supremacy of Macedonian language and to prevent equalization of use which was seen to match with federalization and creation of a "bi-national state" (a concept which represented a "nightmare" of ethnic Macedonians). On the other hand, the final goal of the Albanian negotiation camp was to achieve a status for the Albanian language in par with the status claimed by the Macedonian language. The two extreme positions were finally reconciled in a sort of a middle way which offered broad scope for the use of the Albanian, and did not interfere with the primacy of use of the Macedonian. The formula used was already discussed –

the non-pronouncement in the Constitution and the in laws of all other languages spoken on the Macedonian territory, except for Macedonian and the reliance on the 20% as a part of the population rule. Within the Macedonian bloc, the VMRO-DPMNE stood firmly against the Agreement and attempted to delay its adoption in the legal system, while the SDSM played a more moderate role and stood in favor of the Agreement from the start (Brunbauer 2002).

In conclusion, language use issues, as such, did not represent a serious threat to the acceptance of the OFA process by the ethnic Macedonian population. Though, when these issues appeared to be closely tied with other issues which have high symbolic value related to the survival of the Macedonian identity and the sovereignty of the state, the situation could quickly change and language could become a threat to the process. Case #3 is a typical example which confirms this interpretation.

Case #3: Territorial reorganization of local self-government from 2004

> *The proposal for a referendum aims to protect ethnic and religious identity of the Macedonian people and ethnic communities in Macedonia. We think that there will be a great turnout and satisfactory support.*
>
> Todor Petrov, president of right-wing NGO Svetski Makedonski Kongres, statement from 2004, Chanel 5 (2004)

The law on territorial reorganization was adopted in 2004, a year and a half later than the time-frame anticipated by the OFA. The reason for this delay was the salience of the issue, which politicians exploited for their own goals and needs. The Government, at the time led by the SDSM and the DUI, finally decided to push for this OFA-based reform in 2004. Quickly, the opposition from the Macedonian camp mobilized against the proposed law claiming that the reshaping of the local self-government units would lead to the Albanian domination in some parts of the country. The decision to create several municipalities with an Albanian majority was heavily criticized. Also, the eventual bilingual character of the Skopje capital was a very controversial issue for the Macedonian bloc. The opposition against the law included many political parties (the biggest of them the VMRO-DPMNE) and some non-governmental organizations with the right-wing provenance (like the organization Svetski Makedonski Kongres/World Macedonian Congress). This group of organizations managed to collect about 180000 signatures (30000 more than the needed 150000), and thus pushed the question to

decision trough a procedure of direct democracy - a referendum which took place in 2004. The coalition partners in the Government mobilized against the initiative. Their view was supported by the EU and the USA – the two most important international actors. A campaign was pushed by the Government (especially by the ruling SDSM) in which citizens were encouraged not to participate in the plebiscite (the slogan used was "*Some questions don't deserve an answer*"). In the end, the referendum did not manage to fulfill the legal requirements of participation (436202 or 26,27% of the electorate participated) and thus the Government's proposal was ultimately successful[50].

The territorial reorganization had a serious impact on the process of the establishment of local language policies and this was explained in the third chapter. Though, issues connected to the use of languages in the context of the anticipated territorial re-organization were not in the focus of the public debate. Rather, the greatest controversy in relation to the territorial reorganization from the Macedonian side was seen in the possibility for federalization once "the Albanians receive territories"[51]. The issue of "bilingual Skopje" was also an important part of the whole story, but yet again because of symbolic importance – the possibility for two languages to be used in the capital. Consequently the notion could be confirmed that in the Macedonian context when language policy issues are "burdened" with symbolic importance they become highly salient. When those issues are not symbolically important they are less controversial and easier to swallow by the affected majority group.

[50] See the report by the Association for Democratic Initiatives (2004). The failure of the referendum coincides with the decision of the USA to recognize Macedonia under its constitutional name. This could represent a very important "booster" for rejection of the initiative – the central Government organized a big celebration titled 'Long live Macedonia' on the central square in Skopje, the night before the referendum, to celebrate the recognition under the Constitutional name by the USA. See Van Hal (2005).

[51] An interesting interview with member of the Macedonian Academy of Science and Arts Blaže Ristovski whose attitudes explicitly connect the territorial reorganization and the issue of bilingual capital with a further partition of Macedonia is found in the daily Dnevnik (2004).

Case #4: The adoption of the Law on Languages in 2008

> *One thing is the official language or the official language of the state, and another thing is language in official use. Official language of the Macedonian state, according to the Constitution, is the Macedonian and its Cyrilic alphabet, while Albanian and other languages may be languages in official use, under the conditions stipulated by law. If these two languages are equally designated as official on the whole territory, of course that it will open the danger of linguistic federalization and I still don't know what kind of federalization.*
>
> Ljudmil Spasov, Profesor in the Department for Macedonian language at the Faculty of Philology in Skopje, statement from 2007 (Deutsche Welle 2007)
>
> *My personal opinion is that in Macedonia the OFA did not offer optimal solution for the official use of the Albanian as a second official language on national level. This use is similar to the one before the Agreement. Second point I would like to make is that the identification of collective rights, especially for Albanians with the 20% category is an offensive category, an immoral category, because the question is posed: what if in the next census, the Albanians are 19%?*
>
> Rufi Osmani, mayor of Gostivar (2009-2013), statement from 2011 in Klekovski (2011, 30)

The adoption of the Law on languages in 2008 also followed a pattern of controversy. Firstly, the process of adoption was in serious lag from what was predicted in the OFA. Secondly, the Government coalition partners – the VMRO-DPMNE and the DUI negotiated the provisions of the law behind "closed curtains". Third, the law was put forward for adoption at the time when the opposition SDMS and DPA were boycotting the work of the Assembly, each for its own reasons. In this kind of situation the Parliamentary procedure of adoption ended with no discussion at all. Finally, when the Parliament passed the law, the President of the Republic Branko Crvenkovski (member and leader of the SDSM) refused to sign the decree of proclamation and the process was returned back to Parliamentary adoption (in accordance to the legal provisions). Few days later, the MPs from the SDSM rejoined the Parliamentary assembly and the law was adopted once again, but this time with the support by the representatives of the opposition SDSM. The proposal was accepted with 76 of 120 votes in favor and none against

(half of 120 votes was needed, and voting had to be done in accordance to the double-majority voting principle) (Vecher 2008).

The DPA did not offer support for the proposed Law at any time. They presented an argument that the Law suited short of the needs of the Albanians in Macedonia in the sphere of language use. They called for a new law which would equalize the uses of Macedonian and Albanian (Utrinski Vesnik 2008). The VMRO-DPMNE and the DUI maintained that the Law was in complete accordance with the OFA, and the DUI officials underlined that it represents a good basis for a more extended introduction of the Albanian in the public sphere in the near future. The SDSM, on the other hand, objected the process of adoption and not the Law itself. Furthermore, a party official Šekerinska even welcomed the adoption at the time when SDSM was in boycott (Utrinski Vesnik 2008a). The two Macedonian parties – both from position and opposition – presented a quite similar view which read that any extensions to what was agreed through the OFA are unacceptable. Meanwhile, both Albanian parties were targeting an extended use of the Albanian which would place it in par with the usage of the Macedonian. This position showed that they read the OFA quite broadly in contrast to the Macedonian parties.

Case #5: Tuition of Macedonian in primary and secondary education on minority language

During the school year 2009-2010 the problem of Macedonian language tuition for the members of non-majority communities provoked public controversy and revealed a lack of coordination at the head of the ethnically-divided Government. The Minister of Education from the VMRO-DPMNE published a decision which read that the members of non-majority communities who study in their own mother tongue will start with the course of Macedonian language from the first grade of elementary education, in contrast with the established practice to start with this course from the fourth grade (Ministry of Education and Science 2009). Moreover, the addition of one more course to the study-load of first graders was scheduled to commence from the start of spring semester – right in the middle of the school year. When the decision was made public, instant reactions followed from the ethnic-Albanian politicians, CSOs and parents. The situation culminated in January 2010 with a boycott on the classes by students in elementary and secondary education. The boycott had an estimated scope of participation of 75000 students and teachers which follow and hold classes in Albanian and Turkish as languages of tuition in

schools in Gostivar, Tetovo, Kičevo, Debar and the Municipality of Čair in Skopje (see Galeva 2011: 20)[52].

Parents argued that the decision would overburden the study load of pupils and thus, would be a negative element in their children's development. Politicians argued that the decision was against the framework of law, which does not stipulate when to start with the course of Macedonian language, but gives a "hint" in stating that at the level of fourth grade this course is not held by a grade teacher, but requires expertise (the established practice, as emphasized, followed the pattern of fourth grade start). As an extreme, some ethnic-Albanian politicians went to claim that the decision represented an "abuse of power' by the ethnic-Macedonian political elites aimed against the members of the Macedonian Albanians' community and that the problem will surely worsen inter-ethnic relations in the country. Two Albanian CSOs submitted applications to the Constitutional Court for an assessment of the constitutionality and legality of the decision.

When reactions appeared, the Government stated that it was bringing in a measure which would be a step forward towards the goal of achieving an integrated educational system and that it was acting upon a recommendation of the OSCE High Commissioner for National Minorities (2008) . The High Commissioner on National Minorities also reacted and suggested to the Government to withdraw the decision, organize a public debate and then decide upon the issue. The Ministry made the decision behind "closed curtains", a situation which even left the VMRO-DPMNE's coalition partner, the DUI, surprised. The Macedonian Prime Minister reacted with a letter to the High Commissioner which stated that OSCE recommendations will be considered "more carefully" by the Government in the future, while the ruling VMRO-DPMNE made a statement which criticized the OSCE. The vice-prime minister, member of the DUI, stepped forward against the 'harsh tones' in the letter of the prime minister, and finally, the disagreement within the ruling coalition arrived at "boiling point" (Utrinski Vesnik 2010b).

At that point, the VMRO-DPMNE was trying to get the decision going, while the DUI was officially supporting the boycott. The opposition DPA, on the other hand, blamed the DUI for "collaboration" with the Macedonian side (Utrinski Vesnik 2010a). The boycott completely

[52] It is interesting to point out that this "boycott" was not overreaching as in some schools both Albanians and Turks supported by parents started with the course – though this cases were few – in one school in Gostivar (which is Turkish and Albanian) and in one school in the Municipality Centar Župa (Turkish). See Galeva 2011: 20.

undermined the implementation of the decision and a resolution of the dispute at the political level was not at hand even at the time when the school year ended, in June. Instead, the Constitutional Court in July 2010, acting upon the application of an Albanian CSO, decided that the Ministry of Education and Science had no legal powers to introduce such a decision (Constitutional Court of the Republic of Macedonia 2010). With these developments, the Government was forced to withdraw, and a different solution was put forward later in the same year through the Strategy for integrated educational system (Ministry of Education and Science 2010). Through the Strategy, it was prescribed that the members of non-majority communities which study on their own mother tongue will begin the study of Macedonian language in the period from first to third grade in primary education. The instruction will be handled through reliance on non-formal educational methods. Parents were left to decide whether and when their children will commence with the study of Macedonian. Regular and formal course in Macedonian language was thus intended with the start of the fourth grade of primary education – as it was previously practiced in schools across Macedonia.

The series of events which saw the Ministry's decision to fall reveal a lack of coordination between the two parties from the two ethnic blocs that form the Government. Also, we can register poor assessment of the situation by the policy makers inside the Ministry of Education and Science. Moreover, the Albanian community released total solidarity when the issue came to the fore, and this might reveal that there existed an understanding of what represents an action of "bad" language policy. Accordingly, this assessment by the members of the Albanian community triggered the falling of the measure intended to achieve integration through education. We can only speculate whether or not a democratic and broad debate before deciding upon the issue could have paved the way for a successful process. It seems that this was the step in the Government's initiative which was lacking. Nevertheless, this case shows how the divergent understandings of "good" and "bad" which operate in the society can undermine a particular policy.

Summary

The following table (4.2.) summarizes the main stances of political agents regarding the five case-studies. It is considered that most basically, political actors may exhibit two types of

attitudes: ones that go pro- the regime change and others which go contra-. These two basic options are further graded to arrive at "strong" or "moderate" pro- and contra- stances.

Table 4.2: Stances of political parties regarding presented cases

	SDSM	VMRO-DPMNE	DUI (post-2001)	DPA	PDP (pre-2001)
Case #1: Issue of Albanian Higher Education	Against the University; In favor of policy of minority higher education on one state faculty	Strongly against minority higher education, in any form	/	In favor of the University; Against the policy of minority higher education on one state faculty	In favor of the University; Against the policy of minority higher education on one state faculty (with some reservations)
Case #2: OFA negotiation and adoption	In favor of OFA; signing it; Against equalization of Macedonian and Albanian	Against the OFA; but signing it; Against official use of Albanian and equalization of Macedonian and Albanian	/	In favor of OFA; signing it; In favor of official use of Albanian and equalization of Macedonian and Albanian	In favor of OFA; signing it; In favor of official use of Albanian and equalization of Macedonian and Albanian
Case #3: Territorial reorganization	Strongly in favor of the law	Strongly against the law	Strongly in favor of the law	Strongly in favor of the law	/
Case #4: Law on languages	In favor of the law; the procedure of adoption disputed; restricted reading of the OFA	In favor of the law; restricted reading of the OFA	Strongly in favor of the law; broad reading of the law and the OFA	Against the law; restricted reading of the law and broad reading of the OFA	
Case #5: Tuition in Macedonian	Against the measure, the Government and the Ministry	Strongly in favor of the measure	Strongly against the measure	Strongly against the measure, the Government and the Ministry	

First, one obvious conclusion is that political actors in both ethnic blocs have often represented divergent stances on selected issues. Sometimes, there is convergence between an actor in one

ethnic bloc with the stance of an actor from another. This is extremely straight-forward in case #3 when three of four actors have isolated the stance of VMRO-DPMNE, to go in strong favor of the proposed territorial reorganization. Also, in cases #4 and #5 three from four actors go in favor of the proposed Law on Languages, or against the Ministry measure, respectively, though in both cases different levels of support and rejection are presented. Cases #1 and #2 show high level of divergence between the stances of political actors – with an exception of the stances within the Albanian bloc regarding case #2.

Second, the same issue can be viewed intra-blocs. The Macedonian parties had completely opposite opinions in cases #1, #2, #3 and #5. In these four cases, VMRO-DPMNE has played the role of a nationalist party charged with the role of protection of the supremacy of the Macedonian language. Moreover, VMRO-DPMNE has attempted a regime-change in case #5 which was ultimately not successful but went to show the concerns of the party regarding the orientation of educational language policy. On the other hand, SDSM has promoted stances which can be viewed as less nationalist and more moderate in substance even though this party also claims to protect the titular language, as it is visible in cases #1, #2 and #4 – the stances against equalization of Macedonian and Albanian, as well as the restricted reading of the OFA prove this point.

Within the Albanian bloc, disputes have been more frequent in the post-OFA period. This is illustrated in cases #4 and #5. The DPA did not offer support for the Law on Languages, presented a stance that the law was restricting the OFA provisions, and demanded equalization and use of Albanian as "second state language", something which the DUI claimed that it will be achieved, but later.

Also, the DPA went against the DUI and against the Ministry decision on case #5 even though the two parties could have cooperated to bring down the measure. As in the Macedonian bloc, also in the Albanian – the political parties struggle to impress their voters through claiming that are protecting the interests of the group and that the competitive party is doing the opposite. In this rhetoric, nationalist ideology comes to the fore very visibly.

Third, if parties from the two ethnic blocs are in the Government office as coalition partners, they release mutual solidarity and support towards language policy issues, while this is never the

case when the parties are in opposition. The PDP supported the idea of minority higher education in one state faculty even though expressed strong reservations with the model and still demanded "legalization" of the Tetovo University (case #1). Here, the PDP from Government position and the DPA from opposition did not express very different opinions, but voted against each other. Similarly, in case #4 the VMRO-DPMNE and the DUI cooperated over the Law on Languages even though they promote two different readings of the OFA-intended scope of minority language use. On the other hand, in case #5 the same actors divided the Government as a result of the proposed measure.

Overall, none of the political parties in the case-studies present multicultural values to support their stance, pro or contra the change of the regime. In all cases, the parties are turned towards their own ethnic blocs and do not go for solutions that signal mutual respect. Politics is predominantly "ghettoized" which is a problem for the development of multicultural policies as there is low trust among ethnic blocs. Party leadership is largely mono-ethnic. It is impossible to describe any of these four political parties as anti-nationalist, but in some cases some of them express more lenient inclination towards nationalist ideology.

In a 2009 article, Paula Pickering, overviewing the cases of Bosnia and Herzegovina and Macedonia defined non-nationalist parties as "parties that, even if they are rooted in a particular ethnic group, portray ethnic relations as not inherently hostile and downplay ethnicity relative to their competitors during election campaigns" (Pickering 2009, 566). I apply this definition not to election campaigns but to cases of language politics in the framework of the case studies. Each party from the sample will be considered as non-nationalist if has acted in some way cooperatively while overthrowing ethnicity as main point of reference in political clashes about language use.

From the point of view of continuity, only the role of SDSM from our sample of parties can be assessed in these terms. This party has managed to past the test on non-nationalism in all five cases. The others have passed it in considerably lesser instances. Cases where the party has passed are shown on Table 4.3.

VMRO-DPMNE played a more or less positive role in the process of adoption of the Law on Languages, since the Government led by them proposed the law to the Parliament and the party

maintained a clear pro stance in the whole process. Both DUI and DPA are rated to have acted as non-nationalist parties in case #3, when VMRO-DPMNE's anti-reorganization stance was left isolated. DUI played down the strict demands for equalization of use of Macedonian and Albanian in case #4 – also understood here as a positive non-nationalist attitude.

Table 4.3: Results from the "non-nationalism" test

	Case #1	Case #2	Case #3	Case #4	Case #5
VMRO-DPMNE				×	
SDSM	×	×	×	×	×
PDP #1,2 / DUI #3,4,5			×	×	
DPA			×		

Overall, nationalism within parties' stances is generally played down when parties are in office. Data that goes beyond the case studies confirms this notion, though with certain reservations. In none of the five cases here, DPA has been in office at the time, and SDSM was constant disregarding whether it is in office or not. But, VMRO-DPMNE's positive acting cannot be attributed to anything else but their position in power and the fact that the largest social and political environment imposes that acting.

Conclusion

The underlying conclusion which is adopted with the examination of the parties' stances in the framework of the five case-studies advocates that political actors in Macedonia clash over the use of minority languages and that these disputes are focused on the legitimacy of such policies. Both ethnic camps present divergent views of what is just in the sphere of language use. Moreover, stances are largely informed by the ideology of nationalism, as contrasted with the ideology of multiculturalism.

Political parties which represent the dominant and titular group, the ethnic Macedonians, struggle to confirm and stabilize the status quo for a given period. Changes in the regime which support

the broadening of the scope of use of minority languages are rarely welcomed. In the 1991-2001 period, the ethnic-Macedonian parties (VMRO-DPMNE and SDSM) refer to the Constitution as the source of what is acceptable and adopt a strict reading of the language-use provisions in the legal framework. Post-2001, the ethnic Macedonian parties refer to the OFA as a source of what is acceptable and just, but yet again they employ a strict reading of the document.

In contrast, ethnic-Albanian parties (PDP, DPA and DUI) employ a broad reading of the Constitution, the laws and the OFA. They consider the possibilities, as enshrined in the legal framework, as much broader than the current practice and constantly attempt to raise the scope of use.

During these situations, parties go against each other within ethnic blocs and attempt to promote themselves in the public sphere as sole protectors of the status of their languages. This shows their reliance on nationalist ideology most explicitly. The concern of all reviewed actors is shared: the status of the languages of their own ethnic group is of primary interest. In this sense, the ethnic-Macedonian parties generally seek to defend the status of Macedonian, which stands on layer #1; while ethnic-Albanian parties strive to promote the status of Albanian, which stand in layer #2 in the presented layer structure of the language-use regime (Chapter III). For now, it seems that equalization of the statuses of both languages is not an option in the Macedonian bloc, as equalization of use is seen as a precondition for "linguistic" and further federalization of the state. On the other hand, ethnic-Albanian political actors have placed equalization of status and use of Macedonian and Albanian language as a primary objective. Their inter-bloc differences are focused not on whether but on when this can be achieved.

All of this shows that an overreaching consensus regarding the goals of the state language policy and the contents of the language-use regime is something that it is yet to be achieved. If it is fair to speculate, one can expect that the language-use regime may go through additional changes in the near future, or that, at least, changes will be attempted. Also, if and when the regime will finally stabilize (to the point that legitimacy is not an issue) parties may continue to clash over the issue of effectiveness of the whole arrangement. Before that, political parties will have to move from their rigid nationalist stances which express sole concern towards their own languages to issues which release mutual respect and concern for the needs of the "other" – here seen as a unique starting point of the ideology of multiculturalism.

Conclusion: Nationalist ideology and the Macedonian language policy

This study started from the proposition that nationalist ideology is instrumental in the process of definition of the changes which the Macedonian language-use regime went through in the past twenty years. In support of this argument, the legal and the political level were examined to gain evidence. The analysis of the legal level reviewed two important trends: first, the legal framework is indeed upgraded to raise the scope of minority language use in the public sphere, but this was done "indirectly" as minority languages are never "pronounced" and a "shaky" numerical requirement is put forward. Second, the legal framework, as assessed in both reviewed periods, places the Macedonian language in a specific position as language with greatest status and scope of use. Through this, it was assured that the "first national language" will keep its supremacy on the Macedonian territory.

The examination of the political level offered a closer account on the divergent attitudes regarding the substance of a *good language policy* presented among ethnic blocs. It was shown that political actors keep exclusive concern for the status of the language of their own ethnic group and this places perspective to view both languages as "languages in conflict".

I offer two broad groups of evidence that show the prevalence of nationalist ideology in contrast to the ideology of multiculturalism.

Evidence #1: The treatment of the beneficiaries of promotion-oriented policies in the legal framework

As assessed here, the treatment of the beneficiaries of the promotion-oriented policies is as they are "un-pronounced" directly as users. The Preamble of the Macedonian Constitution identifies the existing communities (or, nationalities as in the 1991-2001 period) on the territory of the Republic, but when it comes to language-use provisions a specific group is not referred to as a holder of rights. Instead, a numerical requirement is given, which may imply to some as a restriction of the guarantees for the individual to be entitled to a specific set of linguistic rights. This can be characterized as dissatisfaction with the two out of the three interests of language

recognition (Patten 2001), the symbolic affirmation and the identity promotion. The OFA amendments reinforced the need of the Albanian community especially for symbolic affirmation within the state.

The wording in the Macedonian Constitution implies primacy of the titular group. Amendment IV intervened in the Preamble by providing a more inclusive perspective but the OFA amendment gave a solid liberal terminology by designating the sovereignty to "the citizens" rather than particular communities. The OFA amendment was finally renegotiated, and the issue of existent symbolic primacy, a point of objection from the Albanian community, was not resolved. This further complicated the understanding of the holder of linguistic rights. The 20% requirement was understood as offensive, a situation which could have been escaped if the preamble remained neutral. Thus, because the Macedonian language was "pronounced" in Article 7 and because the Macedonian community was identified before others in the Preamble, a tension was continued. It was asked why other languages are not mentioned and what would happen if the Albanian community drops below 20% of the population. This seems to have raised the needs for symbolic affirmation and the issue was further exploited by the political elites. In this kind of situation, the three layered structure is referential when discussing symbolic issues and legitimacy deficits regarding the Macedonian language-use regime.

The OFA provisions regarding language use have been fully introduced in the legal system and have been further developed afterwards. This study attempted to characterize the model. A certain "mixture" between the application of personal and territorial rights was registered. In line with the previously said, it is claimed that there is also an intention behind this specific arrangement. Equalization of use was perceived by the Macedonian community as a direction towards federalization of the state, as "bilingualism" at the state level was considered offensive and dangerous. The possible effect from this, on the long run, is that languages become "ghettoized" as there are strict realms of use and extensive separation.

Daskalovski (2002) claims that the OFA-arrangement is not fully compatible with liberal nation-building because it does not provide "equal treatment" to all citizens. Instead, he argues that the employed elements from consociational theory (Lijphart 1977), which place importance on collective worth, produce inequality, understood liberally. The language-use provisions, on the

other hand speak of "20% of citizens" which is after all is a liberal definition, but the underlying "mixture" attracts controversies.

In my view, collective rights do not interfere with equality if they are completely "stripped" from symbolic importance. Collective rights are assigned to provide an equal starting position for individuals that do not share a same culture, whilst the cultural background can be seen as a limiting factor for achieving equality (Kymlicka 1995). But equality fails in the context of the nation-state when one group is symbolically defined as more important than others, so we might view the post-2001 arrangement as not completely compatible with multiculturalist principles.

In line with this, Belamaric argues that the changes introduced through the OFA are only "cosmetic" as they are focused "on the level of terminology, rather that principles, a trend that could play a part in the rekindling of the ethnic conflict" (2003, 25). However, regarding language I do not agree with Belamaric that the changes are "cosmetic". I think that the changes are rather substantive, as the analysis of the legal framework showed: it was concluded that the scope of use of minority languages was broadened extensively. But I agree that terminology is important and represent a "stumbling block". Thus, relating to Patten (2001), the Albanian minority successfully fulfilled its interest of communication, but the tension with the un-realization of the interests of symbolic affirmation and identity promotion (the two most powerful for social mobilization) has caused further problems and still "shakes" the current language-use regime.

Evidence #2: Political actors mainly portray nationalist ideology in their stances

The referred "tension" is further visible in the actions of ethnic-Albanian political parties. Their main concern regarding the use of minority languages has been focused on achieving symbolic affirmation in the post-OFA period. Ethnic-Macedonian parties have concentrated also on symbolic issues – but their objective is to keep the symbolic supremacy of the Macedonian language intact. In these points nationalist ideology comes to the fore very visibly. Political actors are exclusively concerned with the status of their own language and do not show respect towards the "other".

An indicator of this situation is that the Constitution, the laws and the OFA are divergently interpreted between ethnic blocs. The ethnic-Macedonian bloc employs a "strict" reading of the

language-use provisions and any extension is quickly overthrown as un-legitimate. In contrast, the ethnic Albanian bloc promotes a "broader" reading – the OFA is understood as introducing a "second official state language" and their demands are directed towards that objective. Thus, the issue of legitimacy is heavily contested in the political debate.

Also, parties mainly employ nationalist ideology in the promotion of their stances. This is best viewed through the exclusive concerns of the political agents for the status of their own language, the language which their group uses. However, parties do not act always as "hard core nationalists". In Chapter IV non-nationalism was conceived as existent when parties downplay ethnicity while promoting their stances, comparable to their closest political competitors (Pickering 2009). In this view, some parties can be understood as non-nationalists in some cases when they act positively towards promotion-oriented policies and show respect towards the "other". These cases were outlined in the analysis of the stances of political parties.

However, what is certain is that even when mutual respect is shown to some level, political parties do not rely on multiculturalist principles to support their stances. Within ethnic blocs, parties struggle to impress their voting base by presenting themselves as sole protectors of the status of the language of their own ethnic group. This apparently attracts voters as parties do not deviate from this practice, rather they reinforce it.

Summarizing the argument: A view forward

All these evidence leads to one conclusion: language is a part of the nationalist discourse, while the nationalist ideology is a dominant instrument of interpretation of language issues, employed at both sides, disregarding whether the group functions as an agent of homogeneity or diversity. As a consequence of this situation political actors are mainly concern with the legitimacy of the language regime and subsequent policies. The regime is divergently interpreted, potentially because of the ambiguity of the legal framework. Relating to the process-tracing diagram (in Annex 1) I believe that episode #4 has yet to unravel and that the recent stabilization of the regime (2008-present day) is followed by a re-definition of the cleavage which will lead to another change in the regime in the near future. Nothing points out that the regime is completed, as sides are still reluctant to accept it completely. Though, in order to overcome dis-functionalities and legitimacy deficits political elites have to start to promote multicultural values

in an open and explicit way. This might ultimately lead to stabilization and to a self-sustaining equilibrium of the language-use regime.

However, it is hard to expect that both linguistic communities in conflict will make a sudden shift towards embracing multiculturalist values. But, this shift has to be made because collective rights will continue to support disintegration rather than integration between the ethnic communities if the reliance on nationalist ideology prevails. Parties within the Macedonian bloc have to support a redefinition of the state towards a civic conception and thus provide a solid basis for cooperation and ethnicity has to be downplayed. Ethnic-Albanian parties also have to downplay ethnicity and focus on the promotion of the main achievements of the OFA regarding language use which are not modest at all. Also, parties have to work on the raising of the mutual respect between the two ethnic groups. Language, of course, can play a very positive role, so the language policy of the state has to be further upgraded to also include a pro-active attitude towards the "sharing" of languages. Learning the language of the "other" can contribute towards integration of the communities in conflict.

In conclusion, language can represent a source of conflict, but this does not necessarily has to be so. Promotion of multiculturalist values should minimize the chances of future disputes. Nationalist ideology, on the other hand, is a re-enforcer of disputes. A language use regime has to be tailored to satisfy the three interests of language recognition: communication, symbolic affirmation and identity promotion. If any of these dimensions is lacking, conflicts might appear, as the case of the Republic of Macedonia shows. For now, it seems that the peoples and the political elites in Macedonia have a long way to go before they stabilize their primary disagreements.

Povzetek magistrske teze v slovenščini

Izhodišča magistrske teze temeljijo na predpostavki, da je nacionalistična ideologija v zadnjih dveh desetletjih, od državne neodvisnosti naprej, ključen dejavnik v procesu spreminjanja režima rabe jezika. V podporo temu argumentu je bila opravljena tudi študija, in sicer tako na pravni kot politični ravni.

Makedonija je država z multietnično zasnovo prebivalstva, ki je leta 1991 pridobila svojo neodvisnost in se ločila od Socialistične federativne republike Jugoslavije. Leta 2001 je država utrpela velik etnični spor. Povzročili so ga oboroženi spopadi med Narodno osvoboditveno vojsko (ki naj bi predstavljala albansko ljudstvo v najširšem pomenu) in varnostnimi makedonskimi silami (kjer so etnično dominirali Makedonci). Avgusta 2001 so vodje štirih največjih političnih opcij makedonskega in albanskega političnega bloka, s pomočjo angažiranega posredovanja Združenih držav Amerike in Evropske unije, izpogajali Ohridski okvirni sporazum.

Ohridski okvirni sporazum je dokument, ki je takrat zaustavil oboroženi konflikt ter hkrati predvidel določene pravne spremembe, ki bi podpirale status manjšin. Jezik je bil pomemben del teh reform. Z inkorporacijo tega sporazuma v makedonski pravni sistem je posledično albanščina pridobila pravice uradnega jezika na nacionalni ravni in liberalnejše pogoje rabe na lokalni ravni. Poleg tega so organizirali univerzitetno izobraževanje v albanščini ter vpeljali določene koristi tudi za druge manjše etnične skupine v okviru uradne rabe njihovega jezika na lokalni ravni.

Nesoglasja o "problemu uradnega jezika" (Pool 1991) so se v obdobju po letu 2001 nadaljevala in na novo vzpostavljeni režim je bil nekajkrat spremenjen. Teza te magistrske naloge se osredotoča na motive v ozadju vsebine teh sprememb. Temeljni zaključek je, da je nacionalistična ideologija igrala pomembno vlogo v celotnem dvajsetletnem obdobju.

Argument hipoteze podpira analiza, ki jo sestavljajo trije koraki. Prvi korak predstavlja študija pravnega okvirja rabe manjšinskega jezika v dinamični perspektivi (II. poglavje). Vse spremembe so označene in uvrščene na časovnico režimskih sprememb. S tem so identificirane glavne določbe o rabi jezika v dveh obdobjih, v obdobju pred Ohridskim krovnim sporazumom

(OKS) in v obdobju po njem. Prikazani so tudi vsi glavni zakoni, ki so relevantni z današnje perspektive.

Drugi korak analize vključuje povezanost med rezultati študije pravnega okvirja in nekaterimi določenimi splošno sprejetimi teoretičnimi klasifikacijami jezikovnih politik z namenom, da se označi režim uporabe jezika (III. poglavje). Ugotovljeno je, da makedonski režim rabe jezika podpira status manjšinskih jezikov in vključuje pozitivne jezikovne pravice. Poleg tega je ugotovljeno, da makedonski model temelji na mešanici osebnih in območnih jezikovnih pravic (Schiffman 1996).

V III. poglavju razpravljam o stopnjah koristi, ki jo različne jezikovne skupnosti občutijo kot posledico nameščenega režima. Ugotavljam, da lahko današnjo strukturo makedonskega modela opišemo kot troslojno; ta situacija nakazuje različne ravni instrumentalne in uporabne vrednosti jezika, ki ga uporabljajo jezikovne skupnosti na območju Makedonije. V tem delu naloge so analizirani tudi položaji manjših jezikovnih skupnosti (Turkov, Romov in Srbov).

Tretji korak analize vključuje demarkacijo stališč političnih strank o spremembah režima rabe jezika, kjer izhodišča predstavlja analiza petih študij primera (IV. poglavje). Vzorec je sestavljen iz petih relevantnih političnih strank z makedonskega in albanskega etničnega političnega bloka. V nadaljevanju so stališča političnih strank ocenjena s pomočjo testa nenacionalizma (prilagojen po Pickeringu 2009). Tako je preverjena zanesljivost nacionalističnih ideologij političnih strank na področju jezika.

Definicija konceptov, ki so uporabljeni v analizi (problem uradnega jezika, režim rabe jezika, jezikovna politika in pojem nacionalistične jezikovne ideologije) je v ospredju v I. poglavju. V uvodnem poglavje je obsežneje predstavljena tudi celostna vrednostna usmeritev študije. Magistrsko delo uporablja kot izhodisce Kymlickin okvir liberalnega pluralizma (Kymlicka 1995) ter zajema normativno politično teorijo jezikovne politike (Patten 2001, Pool 1991, Van Parijs 2002) kot teoretično osnovo na kateri je študija zgrajena.

Sledeče besedilo povzema ključne ugotovitve analize na pravni in politični ravni v odnosu do sprememb v režimu.

Rezultati analize pravnega okvirja in označitev modela

Glede na rezultate analize pravnega okvirja so napomembnejši aktualni zakoni, ki regulirajo rabo manjšinskega jezika:

– Makedonska Ustava, ki postavlja temelje uradne rabe jezika na nacionalnem in lokalem nivoju ter njegovo rabo v izobraževanju, predpostavlja pa tudi določene varnostne mehanizme za manjšine, ki lahko sodelujejo v procesu odločanja o zadevah rabe jezika na nacionalni ravni;

– Zakon o rabi jezika, ki ga govori vsaj 20 % prebivalstva v Makedoniji in v enotah lokalne samouprave in ki predvideva javno financirano izobraževanje o manjšinskem jeziku;

– Zakon o lokalni samoupravi iz leta 2002, ki določa pravice in obseg rabe jezika na lokalnem nivoju; manjšinam omogoča sodelovanje v procesu oblikovanja politik na področju rabe jezika;

– Zakon o visokošolskem izobraževanju iz leta 2008, ki predpisuje javno financirano izobraževanje o manjšinskih jezikih in natančneje določa tudi obseg;

– Novela zakona o vzpostavitvi javne univerze v Tetovem;

– Zakon o primarnem izobraževanju iz leta 2008, ki definira uporabo jezika v osnovnošolskem izobraževanju ter

– Zakon o sekundarnem izobraževanju iz leta 1995 in Novela zakona o sekundarnem izobraževanju iz leta 2004; oba določata uporabo jezika v sekundarnem izobraževanju.

Na podlagi razvojne perspektive lahko v nadaljevanju sklepamo, da je od leta 2001 naprej, ko je bil v makedonski pravni sistem vpeljan Ohridski krovni sporazum, prišlo do razširitve obsega rabe manjšinskega jezika. Oblikovana je časovnica za ovrednotenje ključnih sprememb v režimu.

Za današnji režim rabe jezika, ki traja od leta 2001 naprej, se ocenjuje, da z jasno določenimi pravicami na dveh ključnih področjih (na področju uradne rabe jezika in v izobraževanju) podpira manjšinske jezike. Hkrati se opaža, da režim zaobjema tako osebne kot tudi področne

jezikovne pravice (Schiffman 1996). Posledica "mešanice" vpeljanih jezikovnih pravic je ločevanje pravic o rabi jezika dominantne skupine in manjšin. Študija identificira potencialne sfere za rabo manjšinskih jezikov in njihovo aplikakativnost na osebno ter področno logistiko.

Na podlagi študije je sprejet lasten model za pregled vseh koristi ustaljenega režima za različne jezikovne skupnosti v določenem časovnem obdobju. Koristi na podlagi pravnega okvirja za obdobje 1991–2001 so predstavljene z dvo-nivojsko strukturo, za obdobje od leta 2001 naprej pa s tro-nivojsko strukturo. Ta nivojska struktura je v funkciji dodeljenega obsega uporabe, kar pomeni, da 1. nivo razpolaga z najširšim obsegom pomembnosti, medtem ko vsi ostali podrejeni nivoji vsebujejo manjše obsege pomembnosti. To razumevanje izhaja iz splošnih načel pravnega okvirja, če upoštevamo neimenovanje manjšinskih jezikov in številčne zahteve za posamezne skupine, da se jim te pravice sploh priznajo. Makedonščina (jezik nominalne skupine) je edini jezik, ki je tudi uradno imenovan v Ustavi.

Raziskava pravne ravni je pokazala dva pomembna trenda. Prvi trend: čeprav je bil pravni okvir dopolnjen z namenom, da se zviša raven rabe manjšinskih jezikov znotraj javne sfere, je bilo to narejeno "posredno", saj manjšinski jeziki niso bili nikoli tudi "uradno poimenovani", hkrati pa morajo izpolnjevati številne zahteve. Drugi trend: na podlagi obeh pregledanih obdobij ocenjujem, da pravni okvir dodeljuje makedonščini poseben položaj, in sicer položaj jezika z najpomembnejšim statusom in obsegom uporabe. Tako je zagotovljeno, da se ohrani status makedonščine kot "najpomembnejšega državnega jezika" in njena nadvlada na makedonskem teritoriju.

Rezultati analize stališč političnih strank

Ideologije jezika so ocenjene na podlagi stališč, pridobljenih iz izbranega vzorca političnih akterjev v okviru petih študij primerov in testa nenacionalizma (prilagojen po Piceringu 2009). Ideologija tukaj predstavlja sistem prepričanj, ki ga ima določena skupina ljudi o posamezni sferi družbenega življenja, kamor spada tudi jezik (Heath 1977). Na podlagi analize stališč političnih strank v petih študijah primera lahko opazimo nesoglasja političnih akterjev v Makedoniji glede uporabe manjšinskih jezikov, usmerjene predvsem na legitimnost posameznih politik. Dodatno, njihova stališča so v veliki meri pod vplivom ideologij nacionalizma nasproti ideologijam multikulturalizma.

Politične stranke, ki predstavljajo dominantno in nominalno skupino – etnične Makedonce, se borijo za potrditev in ohranitev statusa quo za dano obdobje. Redkokdaj so dobrodošle spremembe v režimu, ki bi podpirale razširitev področja rabe manjšinskih jezikov. V obdobju 1991–2001 so se etnično makedonske politične stranke sklicevale na Ustavo kot merilo za to, kaj je sprejemljivo, ter se zavzemale za zelo strogo branje tistih določb, ki se nanašajo na rabo jezika. V obdobju po letu 2001 pa so se etnično makedonske politične stranke sklicevale na Ohridski krovni sporazum kot merilo tega, kar je sprejemljivo in se tudi tokrat zavzemale za zelo strogo branje tega dokumenta.

V nasprotju s tem so se etnično albanske stranke zavzemale za "širše" branje Ustave, zakonov in Ohridskega krovnega sporazuma. Pri tem so potenciale, sicer znotraj pravnega okvirja, smatrale mnogo širše, kot je bilo razvidno iz aktualne prakse, ter konstantno poskušale ta spekter rabe jezika tudi razširiti.

Povzetek študij primerov kaže na to, da v situacijah političnega nesoglasja posamezne politične stranke med sabo tekmujejo na podlagi ideologij svojih etničnih blokov z enim samim namenom – lastne promocije kot edinih zaščitnikov jezika. To je očiten pokazatelj vplivov nacionalističnih ideologij. Primarni interes vseh ocenjenih političnih akterjev je skupen: položaj jezika samo lastne etnične skupine.

Do zdaj je kazalo, da znotraj makedonskega bloka ni možnosti za enakopraven položajev obeh jezikov, saj to vidijo kot predpogoj za jezikovno in drugo federalizacijo države. Po drugi strani pa etnično albanski politični akterji smatrajo enakopravnost statusa in rabe makedonščine ter albanščine kot ključen cilj svojih politik. Razlike med blokoma niso več osredotočene na sprejemljivost enakopravnosti, temveč bolj na vprašanje, kdaj bo to lahko doseženo.

Vse kaže, da konsenz o ciljih državne jezikovne politike in vsebini režima o rabi jezika, še ne bo dosežen. Lahko špekuliramo, da bo režim v bližnji prihodnosti prešel skozi mnoge dodatne spremembe, ali pa vsaj poskuse le-teh. Kot dodatno, če in ko bo ta režim končno vzpostavljen (do te mere, da njegova legitimnost ne bo več vprašljiva), se bodo politične stranke verjetno še naprej prerekale o učinkovitosti celotnega dogovora. Nujno je, da se pred tem politične stranke oddaljijo od svojih rigidnih nacionalističnih drž, ki izražajo samo skrb za lasten jezik, in se

približajo temam, ki izražajo spoštovanje in skrb za potrebe "drugih"; vse to pa lahko predstavlja posebno izhodišče za nadaljni razvoj ideologije multikulturalizma.

Raziskava politične ravni nam ponuja vpogled v razlikujoča se stališča v odnosu do pojma "dobra jezikovna politika", ki jo predstavljata posamezna etnična bloka. Na podlagi raziskave lahko zaključimo, da politični akterji izključujoče skrbijo samo za status jezika svoje etnične skupine in to postavlja oba jezika v perspektivo "jezikov v konfliktu".

Povzetek zaključka

Magistrska teza ponuja dve obsežni skupini dokazov, ki kažejo na prevlado nacionalističnih ideologij (nasproti multikulturalizmu) v odnosu do problematik rabe jezika v javnem diskurzu. Kot je že predhodno poudarjeno, so dokazi zbrani tako na politični kot tudi na pravni ravni.

Prva skupina dokazov temelji na ravnanju z upravičenci podporno usmerjene politike pravnega okvirja. Samo dejstvo, da te skupine niso neposredno imenovane kot upravičenci, je trden dokaz, ki govori v prid temu, da je potrebno priznati vplive nacionalističnih ideologij na učinkovitost izvajanja Ohridskega krovnega sporazuma. Določena številčna zahteva (20 % delež populacije) nakazuje na določene omejitve pri omogočanju posameznikom skupek njihovih jezikovnih pravic. Raziskava zagovarja to, da se te rešitve še dodatno okrepile nezadovoljstvo albanske skupnosti na dveh od treh ključnih področjih njihovega interesa pri priznavanju jezika (Patten 2001), in sicer pri simbolni potrditvi ter pri javni podpori albanske identitete. Tako Ohridski krovni sporazum v tem duhu samo še dodatno krepi potrebo albanske skupnosti za simbolno afirmacijo na državni ravni, namesto da bi jo kot takšen vzpostavljal.

V povezavi z predhodno omenjeno mešanico med osebnimi in področnimi jezikovnimi pravicami, ta študija zagovarja, da v ozadju te specifične ureditve obstajajo določeni nameni. Enakopravnost je znotraj makedonske skupnosti smatrana kot korak v smeri federalizacije države, "dvojezičnost" na državni ravni pa kot ponižujoča in potencialno nevarna. S tem namenom je uporaba manjšinskih jezikov omejena na določena območja oziroma določena področja družbenega življenja in tako se ohranja superiorni položaj makedonščine.

V skladu z predhodnim odstavkom, je Belamaric zagovarjal tezo, da so spremembe, ki jih je vpeljal Ohridski krovni sporazum, samo "kozmetične" narave. Moje mnenje je, da so te

spremembe prej vsebinske narave, kar je pokazala tudi moja analiza pravnega okvirja, na podlagi katere sem zaključil, da se je področje uporabe manjšinskih jezikov razmeroma obsežno povečalo. Strinjam pa se, da je terminologija pomemben vidik in še vedno predstavlja "kamen spotike". Na podlagi tega in v navezovanju na Patterna (2001), je albanska manjšina sicer uspešno uresničila svoje interese pri komunikaciji, medtem ko so napetosti pri nerealizaciji interesov za simbolno potrditev in promocijo identitete (oba tudi močnejša motiva za družbeno mobilizacijo) povzročile nadaljne probleme in še vedno pretresajo aktualni režim rabe jezika.

Nadaljno so ta trenja razvidna tudi iz aktivnosti političnih strank, kar predstavlja drugo skupino dokazov, ki temeljijo na dejstvu, da se politične stranke poslužujejo nacionalističnih ideologij pri oblikovanju svojih stališčih o rabi jezika. Glavna prizadevanja etnično albanskih strank v obdobju po sprejetju Ohridskega krovnega sporazuma so bila osredotočena na doseganje potrditve na simbolni ravni. Tudi etnično makedonske stranke so bile osredotočene na simbolne teme, vendar je bil njihov cilj bolj usmerjen na ohranjanje superiornega položaja makedonščine. V teh točkah postane nacionalistična ideologija zelo razvidna. Politični akterji se ekskluzivno zavzemajo samo za položaj "svojega" jezika in pri tem zanemarjajo spoštovanje do "drugih".

Indikator te situacije je, da posamezni etnični bloki različno interpretirajo Ustavo, zakone in Ohridski krovni sporazum (kar je razvidno iz študij primerov). Etnično makedonski blok poziva k strogem branju določb o rabi jezika in vsaka razširitev je hitro zavržena kot nelegitimna. Nasprotno, etnično albanski blok podpira "široko" zastavljeno branje. Ohridski krovni sporazum je razumljen kot takšen, ki uvaja "drugi uradni državni jezik" in njihove zahteve so usmerjene proti temu cilju. Na podlagi vsega tega so nesoglasja o legitimnosti močno zastopana znotraj politične debate.

To kaže, da politične stranke v večini prevzemajo nacionalistično ideologijo v promociji svojih stališč, kar je najbolj razvidno iz tega, da politični agenti skrbijo izključno za status njihovega lastnega jezika, jezika, ki je lasten skupini, ki jo zastopajo. Po drugi strani pa za stranke ni vedno nujno, da ravnajo samo kot "trdno prepričani nacionalisti". V IV. poglavju je zamišljen tudi nenacionalizem kot obstoječa alternativa, ko stranke omejijo vpliv svoje etnične skupine pri podpiranju stališč, za razliko od njihove najbližje politične konkurence (Pickering 2009). V tem pogledu lahko določene stranke vidimo kot nenacionacionalne, saj so usmerjene v podporno

politiko, ki temelji na spoštovanju do "drugih". Ti primeri so orisani v analizi stališč političnih strank.

Ne glede na to, da na določenem nivoju izražajo neko medsebojno spoštovanje, to še vedno ne pomeni, da so stranke ponotranjile principe multikulturnosti pri oblikovanju svojih stališč. Stranke se predstavljajo kot edine zaščitnice statusa jezika svoje etnične skupine in na ta način poskušajo ugajati svojemu volilnemu telesu. Očitno to privlači volilce, saj stranke ne odstopajo od te prakse, kvečjemu jo utrjujejo.

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Vsi dokazi vodijo do enega samega zaključka: jezik je del nacionalističnega diskurza in nacionalnistična ideologija, ki se je poslužujeta obe strani, ne glede na vlogo stranke kot predstavnice homogenosti ali raznolikosti, je ključno orodje za interpretacijo jezikovnih tematik. Kot posledica te politične situacije, se akterji največ ukvarjajo z legitimizacijo njihovih jezikovnih režimov in izhajajočih politik. Režim je različno interpretiran, potencialno tudi zaradi dvoumnosti njegovega pravnega okvirja. V povezavi z diagramom poteka procesa (glej Priloga 1) verjamem, da se še ni popolnoma razkrila 4. epizoda in da bo nedavni stabilizaciji režima (od leta 2008 do danes) sledilo redefiniranje razcepa, kar bo vodilo do ponovne spremembe režima v bližnji prihodnosti. Nič ne kaže na to, da je režim dokončen, glede na to, da ga nobena od strani noče popolnoma sprejeti. Z namenom, da se premagajo nefunkcionalnosti in pomanjkanja legitimnosti, morajo politične elite podpreti multikulturne vrednote na odprt in jasen način. To bi lahko na koncu vodilo do stabilizacije ter do samovzdrževalnega ravnovesja v režimu rabe jezika.

Ne glede na to, je težko pričakovati od obeh jezikovnih skupnostih v sporu, da bodo naredile nenaden premik v smeri sprejemanja vrednot multikulturalizma. Pa vendar se ta premik mora zgoditi, saj skupne pravice, ki temeljijo na nacionalističnih ideologijah, še naprej delujejo bolj v smeri ločevanja kot pa intergracije med etničnima skupinama. Makedonske stranke morajo podpreti redefinicijo države po zgledu civilne iniciative in tako nastaviti trdne temelje za nadaljno sodelovanje, pri čemer pa mora ostati pojem etničnosti v ozadju. Podobno velja tudi za albanske politične stranke, ki pa se morajo osredotočiti na promocijo glavnih dosežkov Ohridskega krovnega sporazuma na področju jezika, ki niso majhni. Poleg tega se morata obe

stranki osredotočiti na dvig ravni medsebojnega spoštovanja med etničnima sklupinama. Jezik lahko pri tem odigra pomembno pozitivno vlogo, zato mora biti politika na področju jezika izboljšana na državni ravni ter vključevati tudi proaktivno stališče do "deljenja" jezika. Učenje jezika "drugih" lahko pripomore k intergraciji skupnosti v sporu.

Na podlagi moje študije lahko zaključimo, da je jezik pomembna etnična dimenzija ter kot takšna tudi potencialni vir konflikta, ki pa po mojem mnenju ni nujen. Sprejetje multikulturalnih vrednot bi zmanjšalo možnosti za bodoča nesoglasja, medtem ko nacionalistična ideologija po drugi strani ta nesoglasja podpira in krepi. Režim o uporabi jezika mora biti oblikovan tako, da zadovoljuje tri motive pri priznavanju jezika: komunikacijo, simbolno potrditev in podporo identiteti. Če je katerakoli od teh dimenzij nezadostna, se lahko pojavi spor, kot se je to zgodilo v primeru Republike Makedonije. Trenutno kaže, da imajo ljudje in politične elite pred sabo še dolgo pot do končne razrešitve temeljnega nesoglasja.

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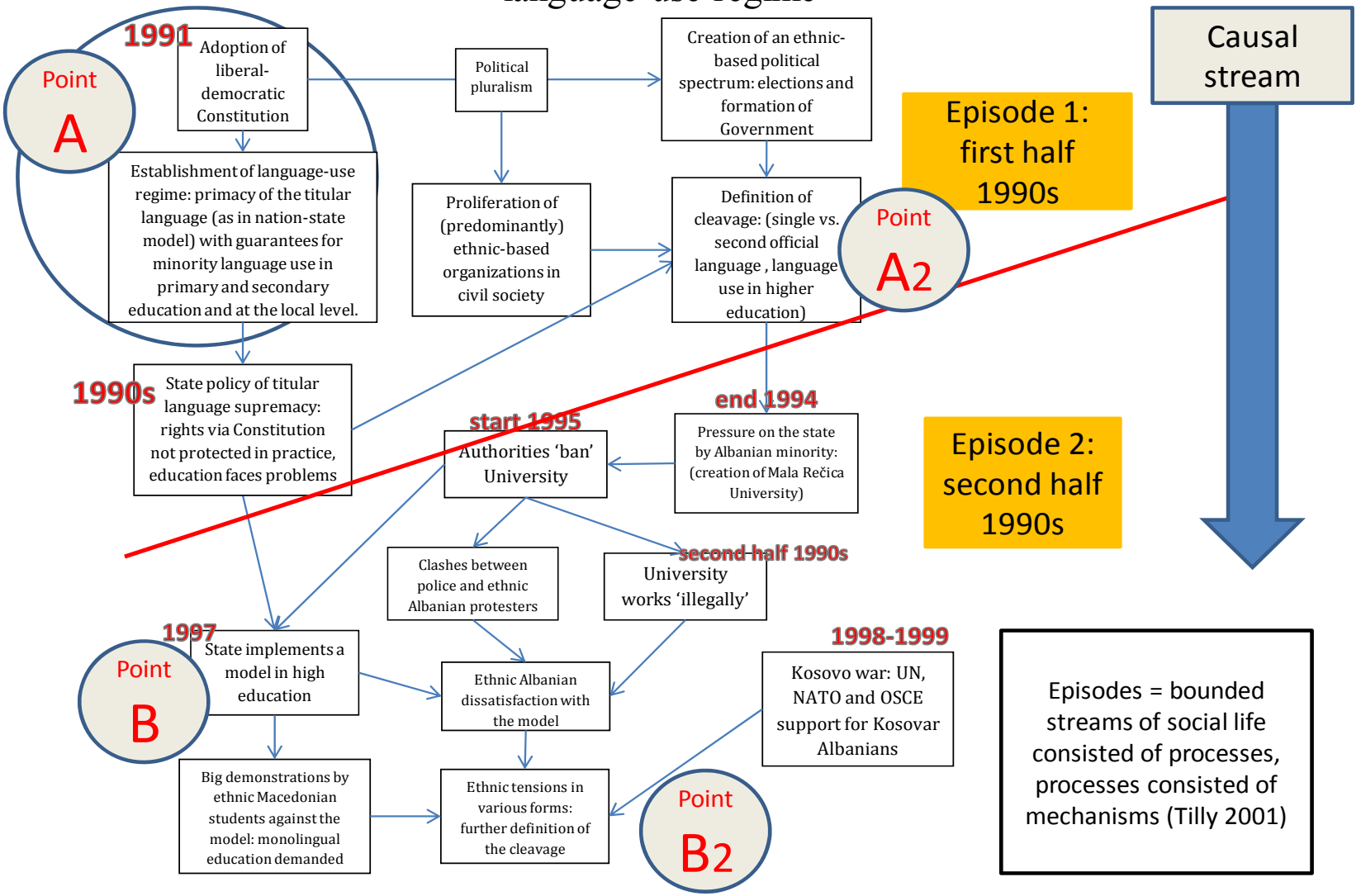
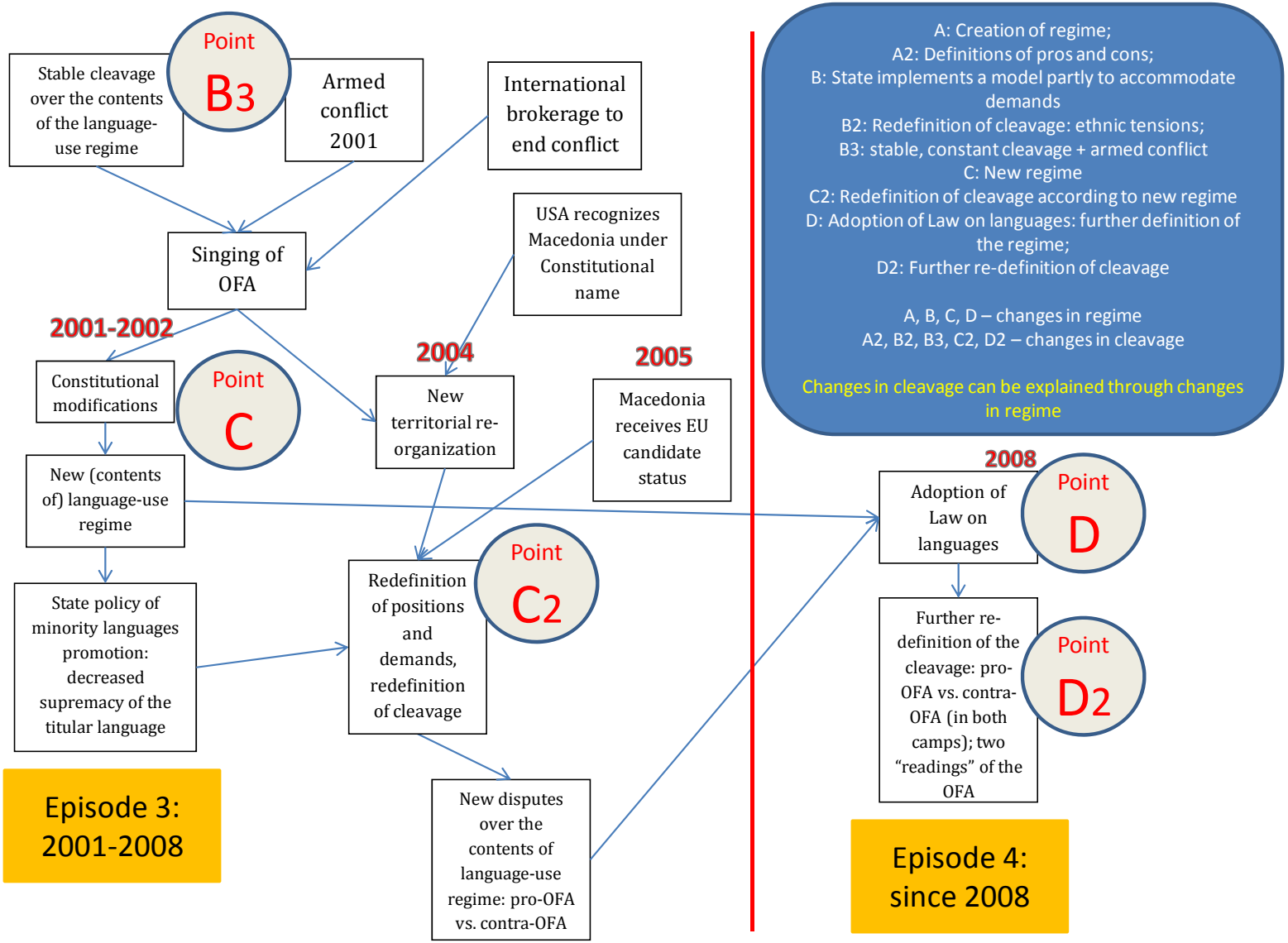
Annex A: Process tracing analysis of the changes of the Macedonian language-use regime




Point
B3
Stable cleavage over the contents of the language-use regime
Armed conflict 2001
International brokerage to end conflict
Singing of OFA
USA recognizes Macedonia under Constitutional name
2001-2002
2004
2005
Constitutional modifications
Point
C
New territorial re-organization
Macedonia receives EU candidate status
New (contents of) language-use regime
Point
C2
State policy of minority languages promotion: decreased supremacy of the titular language
Redefinition of positions and demands, redefinition of cleavage
New disputes over the contents of language-use regime: pro-OFA vs. contra-OFA
Episode 3: 2001-2008
A: Creation of regime;
A2: Definitions of pros and cons;
B: State implements a model partly to accommodate demands
B2: Redefinition of cleavage: ethnic tensions;
B3: stable, constant cleavage + armed conflict
C: New regime
C2: Redefinition of cleavage according to new regime
D: Adoption of Law on languages: further definition of the regime;
D2: Further re-definition of cleavage
A, B, C, D – changes in regime
A2, B2, B3, C2, D2 – changes in cleavage
Changes in cleavage can be explained through changes in regime
2008
Adoption of Law on languages
Point
D
Further re-definition of the cleavage: pro-OFA vs. contra-OFA (in both camps); two "readings" of the OFA
Point
D2
Episode 4: since 2008

Annex B: Three versions of the Preamble of the Macedonian Constitution

1: Preamble of the 1991 Constitution

"Taking as the points of departure the historical, cultural, spiritual and statehood heritage of the Macedonian people and their struggle over centuries for national and social freedom as well as for the creation of their own state, and particularly the traditions of statehood and legality of the Krushevo Republic and the historic decisions of the Anti-Fascist Assembly of the People's Liberation of Macedonia, together with the constitutional and legal continuity of the Macedonian state as a sovereign republic within Federal Yugoslavia and the freely manifested will of the citizens of the Republic of Macedonia in the referendum of September 8th, 1991, as well as **the historical fact that Macedonia is established as a national state of the Macedonian people, in which full equality as citizens and permanent co-existence with the Macedonian people is provided for Albanians, Turks, Vlachs, Romanies and other nationalities living in the Republic of Macedonia**, and intent on…."

2: The OFA Preamble of the Constitution

"**The citizens of the Republic of Macedonia**, taking over responsibility for the present and future of their fatherland, aware and grateful to their predecessors for their sacrifice and dedication in their endeavors and struggle to create an independent and sovereign state of Macedonia, and responsible to future generations to preserve and develop everything that is valuable from the rich cultural inheritance and coexistence within Macedonia, equal in rights and obligations towards the common good -- the Republic of Macedonia, in accordance with the tradition of the Krushevo Republic and the decisions of the Antifascist People's Liberation Assembly of Macedonia, and the Referendum of September 8, 1991, they have decided to establish the Republic of Macedonia as an independent,

sovereign state, with the intention of establishing and consolidating rule of law, guaranteeing human rights and civil liberties, providing peace and coexistence, social justice, economic well-being and prosperity in the life of the individual and the community, and in this regard through their representatives in the Assembly of the Republic of Macedonia, elected in free and democratic elections, they adopt…"

3: Amendment IV of the Constitution

"**The citizens of the Republic of Macedonia, the Macedonian people, as well as citizens living within its borders who are part of the Albanian people, the Turkish people, the Vlach people, the Serbian people, the Romany people, the Bosniak people and others** taking responsibility for the present and future of their fatherland, aware of and grateful to their predecessors for their sacrifice and dedication in their endeavours and struggle to create an independent and sovereign state of Macedonia, and responsible to future generations to preserve and develop everything that is valuable from the rich cultural inheritance and coexistence within Macedonia, equal in rights and obligations towards the common good - the Republic of Macedonia - in accordance with the tradition of the Krushevo Republic and the decisions of the Antifascist People's Liberation Assembly of Macedonia, and the Referendum of September 8, 1991, have decided to establish the Republic of Macedonia as an independent, sovereign state, with the intention of establishing and consolidating the rule of law, guaranteeing human rights and civil liberties, providing peace and coexistence, social justice, economic well-being and prosperity in the life of the individual and the community, and, in this regard, through their representatives in the Assembly of the Republic of Macedonia, elected in free and democratic elections, adopt…"

Annex C: Language provisions in the Macedonian Constitution post-2001

AMENDMENT V

1. The Macedonian language, written using its Cyrillic alphabet, is the official language throughout the Republic of Macedonia and in the international relations of the Republic of Macedonia.
Any other language spoken by at least 20 percent of the population is also an official language, written using its alphabet, as specified below. Any official personal documents of citizens speaking an official language other than Macedonian shall also be issued in that language, in addition to the Macedonian language, in accordance with the law. Any person living in a unit of local self-government in which at least 20 percent of the population speaks an official language other than Macedonian may use that official language to communicate with the regional office of the central government with responsibility for that municipality; such an office shall reply in that language in addition to Macedonian. Any person may use any official language to communicate with a main office of the central government, which shall reply in that language in addition to Macedonian.
In the organs of the Republic of Macedonia, any official language other than Macedonian may be used in accordance with the law. In the units of local self-government where at least 20 percent of the population speaks a particular language, that language and its alphabet shall be used as an official language in addition to the Macedonian language and the Cyrillic alphabet. With respect to languages spoken by less than 20 percent of the population of a unit of local self-government, the local authorities shall decide on their use in public bodies.

2. This amendment replaces Article 7 of the Constitution of the Republic of Macedonia.

AMENDMENT VIII

1. Members of communities have a right freely to express, foster and develop their identity and community attributes, and to use their community symbols. The Republic guarantees the protection of the ethnic, cultural, linguistic and religious identity of all communities. Members of communities have the right to establish institutions for culture, art, science and education, as well as scholarly and other associations for the expression, fostering and development of their identity. Members of communities have the right to instruction in their language in primary and

secondary education, as determined by law. In schools where education is carried out in another language, the Macedonian language is also studied.

2. This amendment replaces Article 48 of the Constitution of the Republic of Macedonia.

AMENDMENT X

1. The Assembly can take a decision if its meeting is attended by a majority of the total number of Representatives. The assembly makes decisions by a majority vote of the Representatives attending, but no less than one-third of the total number of Representatives, in so far as the Constitution does not provide for a qualified majority.

2. For laws that directly affect culture, use of language, education, personal documentation, and use of symbols, the Assembly makes decisions by a majority vote of the Representatives attending, within which there must be a majority of the votes of the Representatives attending who belong to communities not in the majority in the population of Macedonia. In the event of a dispute within the Assembly regarding the application of this provision, the Committee on Inter-Community Relations shall resolve the dispute.

3. This amendment replaces Article 69 of the Constitution of the Republic of Macedonia