



Weekly Briefing

Macedonia Political briefing:
Questions surrounding Macedonia's new Law on Languages
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Introduction

Macedonia is a multi-ethnic country, in which ethnicity is not only a cultural category, but rather a key political determinant. The major political actors in the country tend to represent the ideas, interests and political stances of the particular ethnos-es, rather than representing the interests of the demos as a whole; in this sense, their constituencies are narrowed down alongside ethnic cleavages (sometimes however they manage to transcend the ethnic boundaries; although cross-ethnic coalitions are usually done post-election, or at least between different political parties representing different ethnic communities – and sometimes even the inter-ethnic coalescing follows a clan-like logic). The ethnic imperative has helped shape Macedonia's political system and culture around the core questions and debates on ethnic issues, rather than on issues such as economy, social policy, foreign policy, etc. This type of political culture has both led to - and in return has been amplified by - the ethnicized conflict in 2001, when an ethnic Albanian guerilla demanded not only wider minority rights, but readjustment of the political system along the idea of the primacy of ethnicity as political category. In the aftermath of the conflict, therefore, Macedonia adopted the so called Ohrid Framework Agreement, a political document that has transformed the foundations of the Macedonian state, towards an ethnicity-centered rather than citizenship-centered political model.

Ethnicized politics has different dimensions, and has a varying importance across various policy areas. The most publicly visible component is symbolic politics – today in Macedonia ethnic communities have the right to use their own symbols and have their languages recognized and used by the state institutions (to a varying extent), and have the right to celebrate their own holidays. These issues, even though seemingly mundane, can often stir political

controversies and disputes. As analyzed in this report, the case of the adoption of the new Law on the Languages in Spring 2018 has reflected this.

Law on Languages

The use of languages has been a major field of political contention in inter-ethnic relations in Macedonia. In the aftermath of the ethnic conflict 2001, the new legal framework paved the way for the official use of the languages of ethnic communities that comprise at least 20% of the population in the units of the local government; and in the judiciary and education. The initial changes were done in 2008 with the Law on the use of Languages of Ethnic Minorities in the Self-Government. These changes affected primarily Albanians, who comprised more than 20% in a number of units of the local self-government; but also Turks, Roma and Serbs in areas where they comprise more than 20%. The scope of use of minority languages was broadened in 2011, allowing members of parliament and of national governing institutions that represent the ethnic communities that comprise at least 20% of the population, to be able to use their language (in practice, these changes referred only to ethnic Albanians as they are the only ones surpassing the threshold of 20%). In this period, there has been also an increase in the public visibility of non-Macedonian languages in areas where there is a significant population of other communities (e.x. by posting multilingual signs and designations). While these changes were carried with some controversies, the public outcry was limited as VMRO-DPMNE, a predominantly ethnic Macedonian nationalist party presided over these changes. For VMRO-DPMNE, the changes in the official use of languages were seen as necessary concessions to appease their coalition partner, DUI – the largest ethnic Albanian party.

The use of languages was then out of the public site up until the elections of 2016. After the souring of the relations between VMRO-DPMNE and DUI, and the increasing demands for DUI for greater concessions towards ethnic Albanians the use of language became a particularly heated political issue.

VMRO-DPMNE argued that DUI is pushing for nation-wide “bilingualism” which is a step towards federalization and potential dissolution of the country. They argued that they are not ready to make such concessions; and that is why there are problems in restoring the coalition with DUI. Once DUI turned to SDSM, VMRO-DPMNE blamed SDSM for betrayal of the national interests. However, SDSM at this stage completely refuted all rumors of negotiations of looming bilingualism as absurd.

However, after taking power, the new ruling coalition of SDSM and DUI has made steps towards amendments of the use of languages, not only on the local level, but also on the national level. The initial amendments were however proposed in summer 2017. The proposed framework is that all institutions in Macedonia have more than one official language – Macedonian, and the languages of communities that comprise at least 20% of the population (in practice, Macedonian and Albanian). This also includes the inscription on all official uniforms, and official documents (ex. stamps, receipts, invoices, label bands, stickers issued by the institutions, etc). In January 2018, the Parliament adopted the new Law on Languages, amidst fierce criticism by VMRO-DPMNE, but also actors outside the traditional base of VMRO-DPMNE. In response, SDSM downplayed the significance of the changes and argued that the new Law is a “European” one, meaning that it is necessary in order to adjust Macedonia’s legislation according to the EU requirements; however, this has been disputed. Moreover, it has dismissed VMRO-DPMNE’s criticism as groundless, as the initial changes in the legislation related to the use of languages were undertaken under their rule. President Ivanov, however, decided not to sign the new Law, and therefore it returned to the Parliamentary procedure.

In March 2018, the Parliament readopted the Law on the use of Languages, amidst large public debates. The President Ivanov decided once again not to sign the Law. According to one interpretation of the Constitution, if a Law is returned to the Parliament upon initial Presidential veto (as it is the case with the Law on Languages), the disputed Law passes again it can become effective even

without the President's signature. If a law passes with 2/3 of the votes, then the President is obliged to approve it (however, the Law on Languages passed with slightly more than 50% of the votes). Legal experts questioning the procedure argue that there is no way that the Law can become effective without the signature of the President. This has been also reaffirmed by the Government. Moreover, there have been complaints that the Law is in conflict with the Constitution, and there have been already cases filed at the Constitutional Court asking for its repeal. Hence, the Law on Languages led to yet another legal/Constitutional crisis, and its fate is yet to be resolved.

Multi-ethnic or bi-ethnic state?

Outside of the question of the languages, there are also various forms of policies that Macedonia implemented after 2001, which were to change the makeup of its political system and society. Affirmative action that is implemented through quotas – for instance, when it comes to the composition of the public administration, and when it comes to the admissions in the public universities. While certainly empowering some of the disenfranchised citizens, these practices, in combination with other policy issues, such as corruption, inefficiency of the bureaucracy, failing public institutions, etc, are also often a subject of controversy. Ethnicity is also “malleable” – there is no way to formally verify one's ethnic belonging; hence, often in society (including in parliament), there have been cases of individual manipulation with their own ethnic affiliation (i.e. in the past, for one party to secure the majority among representatives of ethnic minorities in Parliament, they would have a deputy that is from ethnic Macedonian origin register as a minority representative).

The most important issue about Macedonia's multi-ethnic politics is that it is paradoxically more exclusive than inclusive. While in theory Macedonia is a multi-ethnic country, a supposedly diverse and colorful homeland of more than a

dozen ethnic groups,¹ two ethnic groups have the dominant political position: ethnic Macedonians (who have historically been considered the pillar of Macedonia's statehood) and ethnic Albanians (who have a kin relationship with neighboring Albania and Kosovo). After the independence in 1991, Macedonia was shaping up to become a national country of the ethnic-Macedonians, with every other ethnic community having a constitutive, but still a secondary role. The 2001 conflict has changed this, by effectively ending the supremacy of ethnic Macedonians and theoretically paving the way for multi-ethnic setup; however, the political practice soon led to the emergence of a bi-ethnic or bi-national constellation. This is to a great extent because of the fact that as a political category, ethnicity relies greatly on official statistics. As argued above, the magic number that separates a particular ethnic group from the others in terms of the rights and privileges it enjoys is 20%; hence, that is why primarily Albanians rather than Turks, Roma, Serbs, Vlachs, Bosnians or others, have played a significant role in Macedonia's multi-ethnic trajectory after 2001. It is also why the new changes of the law expand only the nation-wide use of the Albanian language, but not the languages of the other minorities.

The fact that the Albanian guerilla who fought in the 2001 conflict transformed in a political party (DUI) that has been part of all governments 2002-today (with the exception of the period 2006-2008), has also reinforced the process of "bi-ethnization." Today, DUI is not the largest, but perhaps the most skilled and experienced ruling party in Macedonia. It is still the most favored party among ethnic Albanians (even though other Albanian parties in Macedonia do exist), therefore enjoying a particular leverage as a legitimate represent of ethnic Albanians in the process of formation of government (sometimes its deputies are crucial for forming governing coalitions); while enjoying the support of external factors (DUI has maintained close political relations with

¹ Since the political sensitivity of ethnicity and the ethnic composition of the country, the authorities have failed to conduct a census of the population in more than 16 years; according to the last official data from 2002, the country has 2,022,547 citizens, of which the majority (64,2% are ethnic Macedonian; 25,2% ethnic Albanian; 3,9% ethnic Turkish; 2,7% ethnic Roma; 1,8% ethnic Serb, while there are a number of smaller communities that count less than 1%).

major external actors such as the US and the EU and promoted itself as a main bearer of the integration of Macedonia in EU and NATO). DUI's main political agenda consists of advancing the minority rights of ethnic Albanians.

In recent years, representatives of the smaller, non-Albanian minority groups have become more vocal about this tendency. There have been joint associations by the so called "smaller ethnic minorities" to voice their challenges and try to put themselves on the agenda. All ethnic communities face particular problems – of special significance are Roma, who have been victims of systematic exclusion and racism, who live in poverty and destitution. However, Macedonia's legal framework is not well suited to make significant changes, as Roma are not as numerous, but also, because the focus on ethnicized politics is symbolism but no material conditions for living. Other ethnic communities also face particular challenges. For instance, Vlachs/Aromanians, because of the lack of a kin state, have been greatly assimilated within the ethnic Macedonian culture. Their language has been insufficiently supported by the institutions, and is under the threat of extinction.