

Attempting to Resolve an Ethnic Conflict: The Language of the 2001 Macedonian Constitution¹

BILJANA BELAMARIC
University of North Carolina

ABSTRACT:

The article analyzes modifications of principles and revisions of terminology pertaining to language and minority rights in the Macedonian Constitution, resulting from the 2001 ethnic conflict. The analysis provides insight into the correlation among historical, social, ethno-political, and linguistic factors in order to ascertain whether or not and to what extent the changes contributed to the resolution of the conflict. Additionally, the legal treatment of minority languages in Macedonia is evaluated in the context of its Constitutional precedent in SFRY and concomitants in Slovenia and Croatia. An examination of the amended principles and terminology of the Macedonian Constitution shows the changes to be largely cosmetic. Existent divisions based on ethnicity were not eliminated, as a power hierarchy of ethnic groups, although modified, continued to be stipulated. This and other elements of the Constitution may significantly contribute to a rekindling of animosities and the continuation of an ethnically unstable Macedonia.

Introduction

The Preamble and the 1992 Constitution of the Republic of Macedonia were amended in 2001 under external pressure from international mediators and internal pressure from ethnic Albanian political parties. My analysis of the changes of the Preamble and Constitution, as pertaining to language and minority rights, treats historical, ethno-political, and linguistic undercurrents, which must be considered in order to ascertain whether or not and to what extent the Constitutional changes have contributed to the resolution of the 2001 ethnic conflict. I argue that the changes were largely on the level of terminology rather than principles, a trend that could play a part in the rekindling of the ethnic conflict.

While this case study concentrates on Macedonia, it has implications for the wider region. The understanding of the discussed undercurrents should be

the starting point for any further involvement of the international community in Macedonia and other post-conflict multiethnic states.

Social Context of the Changes

Ethnic Albanian dissatisfaction with the Macedonian government had been openly expressed since the beginning of the Macedonian state as independent from Yugoslavia. The 1991 census, for example, was a source of debate between the ethnic Albanian and Macedonian communities. Albanian politicians contested the results, having previously urged a boycott of the census because the forms were written in Macedonian only. (Reuter 1999: 35) The 1994 census, which was designed to address the Albanian objections to the one in 1991, was not any more successful in attending to the ethno-political situation at the basis of the complaints.²

Language had long been a controversial issue for the two populations. In the view of some Macedonian politicians, demands for more language rights for the Albanian community had always been a smokescreen for more minority rights,³ with Albanian secession as an end result. Ethnic Albanian politicians had traditionally rejected this assertion.⁴ However, in 2001, Albanian paramilitaries supported by elements of the Albanian political parties contradicted that position with their stated aim of liberating communities from Macedonian control. At the same time, Albanian linguists, joined by their ethnic kin in Kosovo, Macedonia, and Montenegro, agreed upon a single writing system for all ethnic Albanian schools in the Balkans. (“Prv čekor...”, 2001) For the Macedonians, the political message a unified orthography sent was that unification in politics would not be too far behind, reinforcing their fear that the creation of a “Greater Albania” had already begun and contributing to Macedonian resistance to the proposed Constitutional changes.

Nevertheless, the modifications of the Preamble and Constitution were passed in November 2001. Members of the international community played a large though covert role in bringing about these changes, which they regarded as steps towards resolution of the conflict and, more importantly, towards peace. Their involvement resulted in bitterness among certain sections of the population. Many Macedonians, for example, took the view that the changes were concessions forced upon the government by international threats and domestic terrorism. They considered the goals of the international and ethnic Albanian communities as at least partially overlapping. As former Macedonian president Kiro Gligorov stated,

It is obvious that the international community had certain sympathy and support for the solution of the Albanian question in Kosovo. It seems that now it is difficult to abandon that mode of operation. (Stefanović, 2001)

The 2001 Framework Agreement, which outlined the Constitutional changes, was signed by representatives of the ethnic Albanian and ethnic

Macedonian parties, the president of the Parliament, and the president of Macedonia; it was overseen by François Leotard, special representative of the EU, and James Pardew, special representative of the U.S. (“Ustavni promeni...”, n.d.) However, this agreement did not produce a complete cease-fire, as was hoped, and intermittent incidents continued well into 2002, including some ethnic Albanian armed conflicts among themselves. These post-agreement conflicts revealed the influence of other ethnic Albanian groups, not represented at the peace talks, which had different goals and strategies for their achievement and which the international mediators neglected to consider or disregarded. These groups announced plans for spring offensives in 2002 and 2003. The polarization of the two main ethnic groups, an inevitable consequence and contributor to the spread of nationalism, continued after the agreement. The Constitutional changes became yet another issue that fueled animosity, bitterness, and power struggles.

The Parliamentary elections and state census held in 2002 provided hope that Macedonia might be on the road to peace. However, even these events were marred by terrorist acts. A bomb was thrown on the Parliament building on October 31, 2002, the day the government was sworn-in, (Naegele, 2002) and several smaller incidents of irregularities involved with the census were reported. These events have proven that Macedonia’s future is still precarious.

The demands made of the Macedonian government by the Albanian insurgents in 2001 incorporated Constitutional changes regarding minority and language rights, including modifications to the Preamble, which was claimed to be nationalistic, and new constitutional guarantees for the ethnic Albanian population. The compromises reached in the amendments of the Preamble and Constitution are outlined and analyzed in the two subsequent sections.

Preamble Changes in 2001

The Albanian demands referring to the 1992 Macedonian Preamble included the status of a constituent nation, which was not explicitly provided. (Reuter 1999: 36) The statement in the Preamble that “...Macedonia [wa]s constituted as the national state of the Macedonian people...” was interpreted to mean that the minorities in the country, including the Albanians, were only, as stated by Reuter, “guaranteed complete civil equality and co-existence with the Macedonian people.” (ibid.) This statement from the Macedonian Preamble was one of the examples that the Republic of Macedonia was indeed structured, like Slovenia, Croatia, and Serbia, as a country with constitutional nationalism. However, even Hayden, who ascribed constitutional nationalism to these countries, noted that the Macedonian Constitution “enounce[d] repeatedly the idea of peaceful cohabitation with the minority nations in Macedonia...” (Hayden 1992: 660) The Albanian objection to this phrase was in their designation as a minority group. In their view, their numbers warranted an enhanced co-national status with the ethnic Macedonians. Albanian radicals hoped this co-national status would bring about decentralization of the

Macedonian government, allowing areas inhabited by a majority of ethnic Albanians to have local ethnic Albanian government parallel to the Macedonian one. Such increased privileges would then allow for secession of those areas from Macedonia, which was an unacceptable proposition for the Macedonian government.

The term “nacionalnost” (nationality/minority⁵) to which ethnic Albanians objected was not well defined within the 1992 Constitution. In choosing the term to be used to represent the country’s minority, the Macedonian government adopted the formula used in the previous, Socialist Republic of Macedonia (SRM), Constitution, which in turn was influenced by the terminology of the Constitution of the Socialist Federal Republic of Yugoslavia (SFRY). The first term used by the 1963 SFRY Constitution, “nationality – national minority,” was rather long, and was later shortened to “nationality.” (Amendment 19.1 1963) The “national minority” part was dropped because Albanians and Hungarians living in Yugoslavia represented more than minorities. Of 22.5 million citizens of Yugoslavia in 1988, 1.7 million were Albanian and fewer than half a million were Hungarian. (Stanovčić 1988: 224). By contrast, there were about as many Slovenes and fewer Macedonians than Albanians. (Škiljan 1992: 31) The term “nationality” without the “- national minority” was adopted by the SRM Preamble and Constitution and later by the 1992 Macedonian Preamble and Constitution.

However, the term “nationality” could not divorce itself from the portion that was deleted; it was often followed by the idiom “national minority” in brackets. Some of the recent Albanian demands dealt with the complete removal of the word “nationality” used to represent them. Due to the inability to accurately count the Albanian population in Macedonia, the Macedonian government was reluctant to replace “nationality” with any term that might possibly be construed as allowing measures towards decentralization leading to the creation of “Greater Albania.” However, under pressure from the international community and the Albanian minority, the term was removed from the Preamble and Constitution in 2001 and replaced by two separate phrases. In the Preamble, rather than stating for example “Albanian nationality,” it is now stated “part of the Albanian people.” Elsewhere, the nationalities are referred to by the neutral term “communities” (Article 48 2001) (zaednici) and the much lengthier variety - “citizens in areas where at least 20% of the population speaks an administrative language other than Macedonian.” (Article 7 2001)

In the Preamble to the Constitution, not only was the term “nationality” revised and replaced with the phrase “part of a people,” but the context of the mention of the term was also modified. The 1992 Preamble guaranteed civil equality and coexistence between the Macedonian people and the Albanians, Turks, Vlachs and Roma. The 2001 version expands the list of recognized minorities, conceives them as parts of respective peoples to which they belong, and gives these former nationalities a more active role in the creation of the new state.

“...The citizens of the Republic of Macedonia, the Macedonian people, as well as the citizens living within its borders, which are a part of the Albanian nation, the Turkish nation, the Vlah nation, the Serbian nation, the Roma nation, the Bosniac nation and others ... decided to establish the Republic of Macedonia...”

While the removal of the term “nationality” was in line with the ethnic Albanian demands, the fact that their ethnic group was not mentioned separately or differently from the other ethnic groups of the previously named “nationalities” was not. The language of this quote revealed that the Macedonian people were singled out from the other groups, who were all listed together. This change of terminology was an excellent example of the ethnic Macedonian cautiousness towards the binary portrayal of the changes by international factors and media: Macedonian versus Albanian. Instead, other ethnic groups benefited from the changes by being given a higher status together with the ethnic Albanians. Therefore, the desire for Albanian to be distinguished from the other, less numerous ethnic groups was not fulfilled and could potentially cause further demands for changes.

The Albanian demands in 2001 included the removal of the above-mentioned phrase “...the historical fact that Macedonia [wa]s constituted as the national state of the Macedonian people...” because they felt that their presence in the republic made it impossible for Macedonia to be a national state of only the Macedonian people. Rather than the creation of a co-national state, this demand resulted in complete removal of the concept of a national state. Therefore, according to the 2001 Preamble, Macedonia was envisioned as an independent and sovereign state with no mention of whose state it was. This change could be viewed as a victory for the ethnic Albanians and hence contributing to an end to the conflict. However, the ethnic Macedonian understanding of this clause was that they were being stripped of their state and hence it contributed to animosity towards the concession, thereby not creating the desired bi-product of removing the enmity.

The deletion of the category “the Macedonian people” as a totality of free and equal citizens, not only from the Preamble but from the normative section of the existing Constitution as well ... leaves the Macedonian state without the pillar of citizenship. (“Analysis...” 2001: 29-30)

Yet another problem with the text of the Preamble, according to the ethnic Albanian claims, was the reference to the Kruševo Republic, which they deemed openly nationalistic. The significance of this event for Macedonians was as a historical and cultural marker of the awakening of Macedonian consciousness in the beginning of the twentieth century. The legal document of the Kruševo Republic, its Manifesto, was said to have outlined “the founding principles of the first republic on the Balkans” following thereby the “principles of a modern democracy.” (Concise History n.d.) Including a reference to the

Kruševo Republic was important for establishing the continuity of the Macedonian state. Some ethnic Albanians considered this historical continuity of the state to be exclusionary not by design but by geo-historical circumstances.

In the 2001 Preamble, a compromise changed the context of the mention of the Kruševo Republic. While in the 1992 Preamble the Kruševo Republic's state and legal traditions were mentioned as a basis for the new state, in the 2001 Preamble, the concepts were toned down - it was the decision to create the new state that was in accordance with the Kruševo Republic's tradition. The continuity of the state was therefore not emphasized. The importance of the fine distinction between the two contexts was in the ability to interpret them flexibly. Some compromises respond to the demands of the moment but do not create a lasting effect. While it could be argued that this change contributed to the end of the conflict, a more compelling argument could be made that it was not designed to bring about a permanent solution.

Constitutional Changes in 2001

The 15 amendments to the 1992 Macedonian Constitution were passed during the 90th session of the Macedonian Parliament by a 93 to 14 vote. ("Drama in Macedonian Parliament" 2001) The amendments reflected compromises between the ethnic Albanians and the ethnic Macedonians in the government of the Republic of Macedonia. These compromises were not popular with the Macedonians and had been negotiated by politicians who only represented a portion of the ethnic Albanian population. These factors contributed to the failure of the amended Constitution in itself to bring an end to the armed conflict in Macedonia.⁶

Some of the main ethnic Albanian demands concerning language that were addressed with the amendments to the Constitution were:

1. more specific guidelines for determining the regions in which minority provisions would be applied;
2. regulation of using languages other than Macedonian beyond the level of local self-government, for example, the status and use of the Albanian language in the Macedonian Parliament; and
3. educational opportunities for minorities in their own languages equivalent to those provided for Macedonians in Macedonian.

Other concerns regarding minority rights not specific to language use were also addressed, such as the fear that in Parliamentary discussions and votes on language and minority issues, the votes of representatives from the ethnic minorities might be deemed insignificant in comparison with the representatives of the ethnic majority, due to the disproportion in numbers elected to Parliament.

The first of these points was amended in article 7 of the Constitution. The opening sentence of this article stated that the administrative⁷ language of the Republic of Macedonia was the Macedonian language and its Cyrillic alphabet. The 2001 amendment clarified this sentence by adding that the Macedonian language was administrative "on the entire territory of the Republic of

Macedonia and in its international relations.” It was immediately followed by a clause determining the conditions for another language to be used as an administrative language.

“Another language, which is spoken by at least 20% of the citizens is also an administrative language and its alphabet, as determined by this article.”

The Macedonian syntax of this sentence is interesting, because the adjective “drug” (“another”) which precedes the noun “jazik” (“language”) seems to infer that there is only one other language that fulfills this condition, but for political reasons, this other language has to remain nameless. At the same time, the Macedonian syntax may also be considered ambiguous, since “drug” can also be rendered in English as “any other,” in which case, there is not an underlying implication that the clause refers to the Albanian language. In my opinion, the drafters of this amendment deliberately wanted the ambiguity there, due to the political value of being able to interpret the meaning of the clause in different ways. If they had wanted a particular interpretation, they could have used one of three other constructions that would remove this ambiguity. For example, they could have used the definite form “drugiot” that would be translated into English with the definite article, i.e. “the other.” In this case it would be clear that the implication was that there was only one other language that could fulfill the condition that at least 20% of the population would speak it. Using the indefinite variety of the ordinal “vtor” (“a second”) would have yielded a weaker version of the same interpretation. Using the definite variety of the ordinal number two - “vtoriot” (“the second”) would have created an undesired bi-product: the existence of a second or secondary language, which was administrative, and an administrative language, which by default was the first or primary language. According to Zymberi, if one of two languages was considered secondary, its speakers may feel that their language was devalued, “implying a devaluation of their national identity and culture,” (Zymberi 1992: 133) which would add to the animosities between the two communities. However, it was this translation that was utilized in a CNN.com document entitled “Key Points of Macedonia Peace Deal,” dated 13 August, 2001. The wording of this clause in article 7 was paraphrased by CNN as follows: “...Albanian is to be the second administrative language in communities where ethnic Albanians comprise more than 20% of the population...” Diametrically opposed to the previously mentioned constructions is the option of using “bilo koj” (“any other at all”), which would have resulted in the perhaps most neutral interpretation of this clause: that any other language spoken by at least 20% of the speakers in a region can acquire the status of an administrative language.

The ambiguity of the wording of this new addition to article 7, coupled with the choice of 20% of speakers for the minimum number that warrants the status of an administrative language could be used by both the ethnic Albanians and the ethnic Macedonians to argue that the amendment was not fair. The Albanians could claim their language was not equal to Macedonian, while the

Macedonians could assert that Albanians would become an undeservingly privileged group at the expense of the other minorities or nationalities. Moreover, the assigning of a numeric designation could result in population shift as communities seek to bolster the numbers of people who speak their minority language in a given community. By doing so, they would obtain the status of an administrative language for their language. This type of migration would even further decrease the desires for integration of all citizens of Macedonia into one society. It would also intensify what has already been happening with the Albanian population in Macedonian neighborhoods and cities, thereby creating a state of ethnically segregated communities, whose potential demands for federalization would have more substance.

The following new sentence was added to this section of article 7:
“...The personal papers of citizens who speak an administrative language other than Macedonian are printed in the Macedonian language and its alphabet as well as in that language and its alphabet, in accordance with law...”(Article 7 2001)

This provision established bilingualism in certain regions of Macedonia, aggravated parts of the Macedonian population, and brought into question the status of other minorities. If a Roma family, for example, lived in a region where more than 20% of the population was Albanian, their documents would be printed either in Macedonian only, or both in Macedonian and in Albanian, neither of which might have been the language they would have preferred to use. The latter portion of article 7 attempted to at least address this possible grievance from minorities that comprised less than 20% of the population in a particular region. While it does not refer to the language or languages utilized in the publishing of personal papers, it does state that the organs of the local self-government in such regions determine the usage of languages and alphabets of citizens of minorities whose number comprises less than 20% of the population. It is open to interpretation whether a clause like this can make it possible for minorities who make up less than 20% of the inhabitants of a region to express, promote, and develop their ethnic, cultural, linguistic, and religious identity guaranteed by article 48, in a region with two other administrative languages. Therefore, by not regarding all citizens as equal and privileging certain ethnic communities over others, the bilingual provision of article 7 could breed discontent and potential social upheaval among the less powerful ethnic groups.

The second portion of article 7 was expanded to include guarantees for the use of administrative languages other than Macedonian in the units of the regional and state governments. It had already provided minority language use on the local level and the right to petition state bodies and public services in the minority language. According to the amendment, the responses of the local and regional governments to citizen correspondence in an administrative language other than Macedonian had to be bilingual. In correspondence with the state government, an administrative language other than Macedonian could be used according to law.

Since the lack of state funded higher education in the Albanian language was one of the major ethnic Albanian grievances during the 2001 conflicts, Article 48, proscribing education was also reviewed and amended. However, although this article was amended in order to repair the conditions that were objectionable to the ethnic Albanians, a comparison of the old and new versions yields only confusion as to what, other than terminology, really changed in this article. Instead of the word “nacionalnost” (“nationality”), the amended term was “zaednici” (“communities”), instead of the phrase “jazik na nacionalnosta” (“the language of the nationality”), the newly employed phrase was “drug jazik” (“another language,”) and instead of the phrase “nacionalni osobenosti” (“national particularities”), the amended phrase was “osobenosti na svoite zaednici” (“particularities of their own communities.”) There was only one addition to this article in 2001 regarding education: that educational institutions could be organized alongside the already listed cultural, art, scientific, and other institutions that would preserve, nurture, and develop the identity of the communities. And yet, the press, reported that “[s]tate-funded higher education in the Albanian language w[ould] be available in communities where ethnic Albanians comprise[d] more than 20% of the population,” (“Key Points...” 2001) although this was not stated anywhere in the 2001 Constitution. There was no discernible change in the text of articles 44-46, which deal with public and private education at all levels. Many Albanians felt that amendment 48 was not enough of a compromise, and that “their one central grievance ... was dropped by the very politicians and guerillas who claim[ed] to represent them.” (“Macedonia 2001...” 2002) These Albanians were just as dissatisfied with the compromise to form a European Union – funded administrative school. The objections were based on the lack of scientific or technical courses being offered there. (Ibid.) Previously, the state only funded primary and secondary education in Albanian in ethnic Albanian areas with the provision that Macedonian also had to be studied. This, according to Caca, was in order to prevent the nationalities to “put themselves in a position of linguistic and professional ghettoisation,” and to linguistically equip the nationalities to get any job in the Republic, including regions where there were few or no members of their nationality.”(Caca 1999: 157) Although universities studied the Albanian language and literature, just like they studied the languages and literatures of other nationalities, a University that taught in Albanian was not endorsed by the Macedonian government.

One of the Constitutional changes concerning non-linguistic minority rights was made to ensure that votes of parliamentarians belonging to the ethnic minorities remained significant in spite of their being numerically outnumbered by the representatives of the ethnic majority. The amendments to guarantee that the voices of the minorities were heard were made to articles 69 and 77 of the 1992 Macedonian Constitution. The new parliamentary system, termed “double majority,” (“Key Points...” 2001) specified that at least half of the voters on a measure concerning culture, language use, education, personal papers, use of symbols, and the election of the attorney general had to come from one or more minority groups. Otherwise, a measure could not be passed. “Double majority”

meant that the minority representatives in Parliament were essentially given veto power.

When discussing the political representation of minority populations, the amendment of article 78 must also be taken into consideration. In 2001, this article revised and renamed the Committee for Relations among Communities, formerly the Council for Relations among Nationalities, whose role was to resolve Parliamentary disagreements in debates concerning culture, language, education, personal papers, and the use of symbols, i.e. in voting on measures concerning inter-ethnic matters. This Committee could be seen as the legal representative of the various ethnic communities in Macedonia, including the ethnic Macedonians. In the 1992 version of article 78, the council was comprised of an equal number of representatives of all of the groups of people named in the Preamble, i.e. two Parliamentarians of each of the following groups: Macedonian, Albanian, Turk, Vlah, Roma and two members total of other nationalities, not named in the Preamble. In 2001 the committee was restructured to comprise of seven Macedonian and seven Albanian members, and one Parliamentarian of each of the other communities named in the Preamble: Turkish, Vlah, Roma, Serb, and Bosniac. The reorganization fulfilled the Albanian demands for equality with the Macedonians at the expense of other nationalities, since in policies concerning inter-ethnic cooperation seven times as many votes were allotted to the Macedonian and Albanian communities as to others named in the Preamble. The number of representatives in the committee continued to be disproportional to the demographics of the population. Furthermore, the decrease in number of representatives of the Turk, Vlah, and Roma community sent a message that these groups were marginalized, leading to more dissatisfaction and ethnic tension.

One particular topic of interest in reviewing the principles of the 2001 Preamble and Constitution is the treatment of minority languages, an issue that I've already touched upon but not fully explored. In the following section, I survey the treatment of minority and administrative languages and, by association, the populations speaking them, by offering a comparative Constitutional perspective.

Treatment of Minority Languages and Precedents

According to the 2001 Constitutional amendments, any language that was spoken by more than 20% of the population was an administrative language. However, this administrative language differed from the other administrative language, Macedonian, among other things in that it was not used in international relations and in that its determination as administrative was on the basis of a percentage of the population speaking it. Yet, there was an attempt by the Constitution to also protect or at the least account for other languages, whose speakers comprised less than 20 percent of the population. Because of the differentiation between these three groups of languages, the hierarchy set up by

the 2001 Macedonian Preamble and Constitution could be conceptualized as three-tiered:

1. Macedonian, the administrative language,
2. A language spoken by at least 20% of the population (for all practical purposes this is Albanian but is not explicitly named), and
3. Languages spoken by less than 20% of the population.

This classification of language status was similar to the three-tiered system in the SFRY Constitution and could also be compared to the three-tiered scheme of national privileges in the present-day Slovene Constitution.

In the SFRY Constitution, the three degrees of ethnic affiliation were people, nationality, and ethnic group. Each of the languages associated with the particular groups was legislated differently. For example, as Škiljan explains, languages of nations were in official use on the entire territory of the Federation, the languages of the nationalities were in official use on the territories of the republics and autonomous provinces as determined by their Constitutions, and the languages of the ethnic groups were regulated by communal, local acts. (Škiljan 1992: 31-32, Kovačec 1992: 43-58) A few of the determining factors as to which language fell in which group were whether the main communities, cultural and linguistic codes were situated outside Yugoslavia, whether groups were sufficiently autochthonous, and whether they had a sufficient concentration of their members, (Kovačec 1992: 43-58) but this last condition was not stated numerically in the Constitution.

Autochthonism is one of the determining factors of national privileges according to the Slovene Constitutional hierarchy, as well. The three groups as recognized by the Slovene Constitution are the Slovenian nation, the autochthonous Italian and Hungarian minorities, and members of the Romany community and any other nationality. (Hayden 1999: 71) The Constitution itself includes an article on the special rights of the autochthonous Italian and Hungarian national communities (article 64) and one on the status and special rights of the Romany community in Slovenia (article 65). Membership in each of these groups is based on ethnicity and autochthonism, but is not established by a percentage of the population belonging to the particular community. The language and other rights provided for each of these groups are very different. The autochthonous minority rights are regulated in the geographic areas where they live. They have the right to self-government and bilingual education among others. The status of language and other rights of the Romany community and other nationalities, however, is regulated in the Constitution by one sentence: "The status and special rights of the Romany community living in Slovenia shall be regulated by law." (Article 65)

The 2001 Macedonian Constitution distinguished the three groups neither by their autochthonism, as in the SFRY and Slovene Constitution, nor specifically by ethnicity, as in the Slovene Constitution, but by the pre-determined percentage of population in a particular area belonging to a particular

“community.” At the same time, the Macedonian 2001 Constitution exhibited similarities with the SFRY and Slovene Constitutions in that the language and other rights provided for the three groups differed, and the rights of the third group in each hierarchy were left to be decided on the local level. However, it was only in the Macedonian Constitution that a language of the second group was explicitly stated to be also administrative, like the language of the first group. This status for the Albanian language was one of the goals that the ethnic Albanians fought to achieve through the modifications of the Constitution. This status was also interpreted by some Macedonians as a *de facto* affirmation of the Albanian ethnic group’s position as a co-nation. Due to the prevalent view of language as a flag of nationality in the Balkans, (Friedman 1999) the regulation of the status of the Albanian language as administrative was inalienably tied to an elevation in the status of the ethnic group speaking it.

Conclusions

Many of the changes of the Preamble and Constitution in 2001 did not address the issues at the root of the ethnic Albanian demands for change, among the most important ones being the provisions for decentralization and co-national status of Albanians and Macedonians. Furthermore, the 2001 Constitution:

...[id] not provide for an equal treatment of all citizens. Instead, the accent was put on the worth of individuals based on ethnic criteria whereby certain ethnic groups were to be put in a more privileged position than others. (Daskalovski 2002)

Many assessments of the ethnic conflict in Macedonia pointed to the creation of political parties based on ethnicity as one of the contributing factors to the problematic increase of ethnic divisions existent in Macedonian society. The 2001 Constitution perpetuated this division and could thereby lead to further conflicts.

It is still too early to speak of the impact of these Constitutional changes on Macedonian society and beyond. There are many laws still to be passed and others that are being deliberated upon. Perhaps the sluggishness of the legal changes should itself be taken into consideration when evaluating the Constitutional changes. While it was a great achievement for the newly elected Parliament to start their session under the amended Constitution in late 2002, it is inevitable to note that the amendments, though they may have appeased a part of the Albanian population, did not bring immediate peace to Macedonia. There were areas in Macedonian villages and cities, where the Macedonian police, even in the newly prescribed ethnically mixed formation, were not allowed entry.

One of the clearest ties between the 2001 Constitutional changes and their failure to satisfy the ethnic Albanian insurgents was recently stated by Valdet Vardari, the head of the Albanian National Union Front, which commands the Albanian National Army (ANA), a “phantom guerrilla group.” From the first

moment the Ohrid agreement was signed, ANA publicly stated that we do not recognize it and judge it as harmful and treacherous. (“Macedonia: Militants...” 2003) Furthermore, there has been some dissatisfaction in the ethnic Albanian community with what they perceive to be the ethnic Albanian Parliamentarians’ lack of forcefulness about implementation of changes. Radical Albanians have attacked the [Democratic Union for Integration] for accepting a junior position in the government coalition and for making too many compromises with ethnic Macedonians. (Ibid.)

This type of dissatisfaction with Albanian participation in Macedonian government had been voiced before, in 1992, when radical forces equated an Albanian-Macedonian Parliamentary coalition with a “betrayal of the national cause of the Albanians.” (Reuter 1999: 37) Hence, the Constitutional changes have been ineffective in appeasing the most militant section of the Albanian population. Disappointed by the deficiency of the results and progress of the political deals that ensued after the 2001 Constitutional changes, radical Albanian factions have announced a “‘hot spring offensive’ in 2003 in majority Albanian districts,” (“Macedonia: Militants...” 2003) thereby threatening further continuation of the ethnic conflict in Macedonia.

In spite of open dissatisfaction from both the Albanian and Macedonian communities, the international community praised the Framework Agreement and the Constitutional changes that ensued, regarding them as historic decisions for peace and reconciliation. (“Macedonia Adopts...” 2001) However, even with the new Constitution and the international attention that Macedonia received, it is still uncertain what the future will bring to the topsy-turvy Macedonian political realm. Genuine reconciliation between the ethnic Albanians and Macedonians lingers in the distance, as Macedonia remains a country in transition, trying to find a non-obtrusive yet visible place in the watchful global eye.

EndNotes

¹ Portions of this paper were presented at the 13th Biennial Conference on Balkan and South Slavic Linguistics, Literature, and Folklore, 18-20 April 2002, at the University of North Carolina, Chapel Hill.

² The 1994 census was conducted under the sponsorship of the Council of Europe. Although it supported the results of the 1991 census, it contributed little to the resolution of the grievances of the ethnic Albanian politicians and population. If anything, it added to the Macedonian government’s distrust and dislike of international mediation. For a detailed analysis of the 1994 Constitution, please consult Victor Friedman’s “Observing the Observers: Language, Ethnicity, and Power in the 1994 Macedonian Census and Beyond,” in Barnett Rubin, ed., *Toward Comprehensive Peace in Southeastern Europe: Conflict Prevention in the South Balkans*, (New York, NY: The Council on Foreign Relations and Twentieth Century Fund, 1996.)

³ “...Disputes over language often serve as a mere cover for economic, political, national, and other conflicts...” Ranko Bugarski, “Language in Yugoslavia: Situation,

Policy, Planning,” in Ranko Bugarski and Celia Hawkesworth, eds., *Language Planning in Yugoslavia*, (Columbus, OH: Slavica Publishers Inc., 1992), 21.

⁴ “At the beginning of 1992, the recognized leader of the Macedonian Albanians, the head of the ethnic Albanian Party for Democratic Prosperity, Nevzat Halili, rejected the claim that his aim was secession.” Jens Reuter, “Policy and Economy in Macedonia,” 35.

⁵ It is important to note here that the meaning of the Macedonian term “nacionalnost” can be better conveyed in English through the word “minority” than “nationality,” which implies “citizenship.” However, the accepted translation is most often “nationality,” since the Macedonian word for “minority” is “malcinstvo,” which is not used in the Constitution. This and other false cognate pairs can create a problem in discussing various issues in translation.

⁶ For nearly a year after the amendments were adopted, there were still reports of kidnappings and shootings on the Tetovo-Gostivar highway and in the surrounding region. *IWPR Report* no. 363, Aug. 30 2002, available on-line at www.iwpr.net. In October 2002, a grenade was detonated in front of the Parliament building just as deputies were about to vote on a new government. Jolyon, Naegele. “Macedonia: Grenade Blast Rocks Parliament Ahead of Vote.”

⁷ In the Macedonian Constitution, the phrase “služben jazik” (administrative language) can be conceptualized as having the same meaning as the phrase “oficijalen jazik” (official language); however, in the text of the Constitution only the former terminology is employed. Therefore, that is the translation that I will be utilizing throughout the paper.

References

“Analysis and Evaluation of the Legal Aspects of the Proposed Framework Agreement and the Annex with the Changes of the Constitution, July 31, 2001.” Skopje, Macedonia: University of Ss. Cyril and Methodius, Faculty of Law, 2001. <<http://www.pf.ukim.edu.mk/pfeng/Public%20Discussion.htm>> [Accessed May 1, 2003].

“Drama in Macedonian Parliament,” *MIA* (16 November 2001).

“Key Points of Macedonia Peace Deal,” *CNN.com* (13 August 2001).

“Macedonia 2001: Independence, R. I. P.,” *British Helsinki Human Rights Group* (25 March 2002).

“Macedonia Adopts New Constitution,” *BBC Online* (16 November 2001).

“Macedonia: Militants Threaten Renewed Conflict,” *IWPR Balkan Crisis Report* 403:I (3 February 2003).

“Prv čekor za obedinuvanje na albanskata nacija.” trans. Biljana Belamarić, *Dnevnik* (4 May 2001).

“Ustavni promeni vo uslovi na vojna: an interview with prof. Svetomir Škarić,” <<http://www.macedonia-info.org/Komentari/skarić.htm>> [Accessed May 1, 2003].

A Concise History of Macedonia

- <<http://faq.macedonia.org/history/concise.history.html>>
[Accessed May 1, 2003].
- Amendment XIX, 1 of the 1963 Federal Constitution of Yugoslavia, trans. Biljana Belamarić.
- Article 48 of the 2001 RM Constitution, trans. Biljana Belamarić.
- Article 7 of the 2001 RM Constitution, trans. Biljana Belamarić.
- Bugarški, Ranko. "Language in Yugoslavia: Situation, Policy, Planning," in *Language Planning in Yugoslavia*, eds. Ranko Bugarški and Celia Hawkesworth. Columbus, OH: Slavica Publishers Inc., 1992.
- Daskalovski, Židas. "Language and Identity: The Ohrid Framework Agreement and Liberal Notions of Citizenship and Nationality in Macedonia." A paper presented at the 13th Biennial Conference on Balkan and South Slavic Linguistics, Literature, and Folklore, 18-20 April 2002, at the University of North Carolina, Chapel Hill.
- Friedman, Victor A. *Linguistic Emblems and Emblematic Languages: On Language as Flag in the Balkans*, Kenneth E. Naylor Memorial Lecture Series in South Slavic Linguistics, No. 1. Columbus: Department of Slavic and East European Languages and Literatures, The Ohio State University, 1999.
- Friedman, Victor. "Observing the Observers: Language, Ethnicity, and Power in the 1994 Macedonian Census and Beyond," in *Toward Comprehensive Peace in Southeastern Europe: Conflict Prevention in the South Balkans*, ed. Barnett Rubin. New York, NY: The Council on Foreign Relations and Twentieth Century Fund, 1996.
- Hayden, Robert M. "Constitutional Nationalism in the Formerly Yugoslav Republics." *Slavic Review* 51:4 (Winter 1992).
- Hayden, Robert M. *Blueprints for a House Divided: Constitutional Nationalism*. Ann Arbor: University of Michigan Press, 1999.
- IWPR Report* 363 (30 August 2002). <www.iwpr.net> [Accessed May 1, 2003].
- Naegele, Jolyon. "Macedonia: Grenade Blast Rocks Parliament Ahead of Vote." *Radio Free Liberty/Radio Europe* (31 October 2002). <<http://www.rferl.org/nca/features/2002/10/31102202162656.asp>> [Accessed May 1 2003].
- Reuter, Jens. "Policy and Economy in Macedonia," in *The New Macedonian Question*, ed. James Pettifer. New York: St. Martin's Press Inc., 1999, 35.
- Škiljan, Dubravko. "Standard Languages in Yugoslavia." in *Language Planning in Yugoslavia*, eds. Ranko Bugarški and Celia Hawkesworth. Columbus, OH: Slavica Publishers Inc., 1992.
- Stanovčić, Vojislav. "Discussion of 'Creation of the 1974 Constitution of Yugoslavia,'" in *Constitution Makers on Constitution Making*, eds. Robert Goldwin and Art Kaufman. Washington, DC: American Enterprise Institute for Public Policy Research, 1988.

- Stefanović, Nenad Lj. "Albanians Do Not Want a Civic State: an interview with Kiro Gligorov," *Vreme* (Belgrade, FRY: 30 March 2001). <<http://www.cdsp.neu.edu/info/students/marko/vreme/vreme92.html>> [Accessed May 1 2003].
- Zymberi, Isa. "Albanian in Yugoslavia," in *Language Planning in Yugoslavia*, eds. Ranko Bugarski and Celia Hawkesworth. Columbus, OH: Slavica Publishers Inc., 1992.