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## **Conflicts and National Identity and Changes in the Constitution of the Republic of North Macedonia After 1991**

**Keywords:** conflicts, identity, constitution, Western Balkans, North Macedonia

**Słowa kluczowe:** konflikt, tożsamość, konstytucja, Bałkany Zachodnie, Macedonia Północna

### **Abstract**

National identity is an important aspect of shaping the nation. Macedonians create their identity, and thus their separateness from others, with the help of elements that bind the community together, such as – the state, religion, and language. As early as 1991, when the Republic of Macedonia gained independence, the country fought for its national independence. At that time, there were many conflicts related to Macedonian identity. The main goal of the article is to present crucial changes in the Constitution of the Republic of North Macedonia that occurred after 1991 and were related to signed international agreements as well as to two conflicts: Macedonian-Albanian and Macedonian-Greek

### **Streszczenie**

#### **Konflikty i tożsamość narodowa a zmiany w konstytucji Republiki Północnej Macedonii po 1991 r.**

Tożsamość narodowa jest ważnym aspektem kształtującym naród. Macedończycy kreują swoją tożsamość, a tym samym odrębność od innych za pomocą elementów spajających wspólnotę, takich jak – państwo, religia oraz język. Już od 1991 r., kiedy Republika Mace-

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donii uzyskała niepodległość, państwo to walczyło o swoją odrębność narodową. W tym czasie dochodziło do wielu konfliktów związanych z tożsamością macedońską. Celem artykułu będzie przedstawienie istotnych zmian w Konstytucji Republiki Północnej Macedonii, które wystąpiły po 1991 r. i były związane z podpisanymi umowami międzynarodowymi oraz dwoma konfliktami: macedońsko-albańskim oraz macedońsko-greckim.

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## I. Introduction

The region of the Balkan Peninsula is a strategic area for many international organizations such as the European Union and NATO. Especially in terms of maintaining peace on the European continent and in connection with the economic equalization of European regions. It is associated with numerous conflicts that have taken place and are still taking place in the area. Although currently, no open military conflict is taking place in any Balkan countries, it should be emphasized that there are active international disputes in the entire area, which may turn into armed conflicts in the future. North Macedonia is a country that did not experience the war-related to the break-up of Yugoslavia. Although, in the present, the country is facing many significant conflicts, such as an internal conflict involving the Albanian minority (during which some military actions and armed incidents took place) and international disputes with Greece and Bulgaria (which concerns the issue of the national identity of Macedonians).

An important issue discussed in the chapter is conflicts related to national identity in North Macedonia, which, as a result of ongoing negotiations and international agreements, influenced changes in the constitution of this country. The article is analytical and chronological. In the beginning, it explains the concepts of Macedonian nationality and identity. Then, it discusses the conflicts and analyzes the changes that have been made to the Constitution of the Republic of North Macedonia. Due to the chronology, in the beginning, the paper discusses the Macedonian-Greek conflict, then the Macedonian-Albanian conflict, and in the end, I return to the Macedonian-Greek conflict and the latest amendments.

## II. Macedonian Nationality and Identity

In the literature, a human is often described as a social being who realizes his basic needs in collective life, such as security, belonging, respect, and development<sup>2</sup>. One of the basic forms of social community is a nation shaped in a specific historical process. Many nation-creating factors include objective factors like common origin, language, territory, culture, economic and political life, and subjective factors like national consciousness<sup>3</sup>. The awareness is primarily a sense of identity, which is crucial for the formation of the nation. Identification of an individual with a group, and at the same time social identity, is a phenomenon of distinguishing oneself from other social groups and distinguishing “one’s own” from “strangers”. As a result, an individual can include himself in the community, define himself as a member of an important group and satisfy needs such as security, belonging, and acceptance<sup>4</sup>. National identity is a reflective attitude of the nation towards itself, and thus collective self-knowledge and the possibility of self-determination of the members of this community<sup>5</sup>. It is focused on the elements that shape the culture of a given nation, i.e., language, territory, culture, economic and political life, and common historical memory.

Nation and identity were developed in the Balkan Peninsula in the 19<sup>th</sup> century. Macedonian protonationalism developed simultaneously with other Balkan nations. At that time, the Internal Macedonian Revolutionary Organization was established, which gave impetus to the first uprising in Iliden in 1903 against the Turks. After two Balkan wars (1912, 1913) and the collapse of the Ottoman Empire, most of the territory of Macedonia was divided between Greece, Bulgaria, and Serbia. The territory of the modern Macedonian state was annexed by Serbia and named “Southern Serbia”. During this period and at this territory, germ and the beginning of statehood and the Macedonian nation-building appeared<sup>6</sup>.

<sup>2</sup> P. Sztompka, *Kapitał społeczny, teoria przestrzeni międzyludzkiej*, Kraków 2016.

<sup>3</sup> K.A. Wojtaszczyk, W. Jakubowski, *Spółczesność i polityka, podstawy nauk politycznych*, Warsaw 2007, p. 179.

<sup>4</sup> P. Sztompka, *Kapitał społeczny, teoria przestrzeni międzyludzkiej*, Kraków 2016, pp. 136–137.

<sup>5</sup> K.A. Wojtaszczyk, W. Jakubowski, op.cit., p. 187.

<sup>6</sup> Z. Sielska, *The fight for a name – Macedonian fight for national subjectivity and creation of the identity*, “Annales Universitatis Mariae Curie-Skłodowska. Sectio M” 2020, vol. V, p. 83,

Macedonian identity models were shaped primarily by neighboring churches such as the Patriarchate of Constantinople, the Bulgarian Exarchate, and the Serbian and Greek autocephalous churches. However, even though “some <Macedonians> may have had a strong sense of loyalty to Greece or Bulgaria when asked who they were, many responded emphatically that they always were” Christians<sup>7</sup>, because, during the reign of the Ottoman Empire in Macedonia, the national identity was shaped on the distinctiveness of “we” – Christians, “they” – Muslims<sup>8</sup>. After World War II, the idea of equality of nations and their right to self-determination in the future state was promoted in Yugoslavia. Therefore, in 1944, the Antifascist Assembly of the National Liberation of Macedonia (ASNOM) proclaimed the People’s Republic of Macedonia, belonging to the ethnic Macedonians within the Federal Republic of Yugoslavia. In the same year, the Macedonian language was also approved, and in 1945 the Macedonian alphabet based on the Cyrillic alphabet was codified<sup>9</sup>. Bulgarian and Greek nationalists, who believe that Macedonia is not an independent nation, argue that the Macedonian identity arose solely because of the Serbian propaganda. The difficulties with the emergence of a separate Macedonian state and nationality are best illustrated by the statement of the Macedonian Minister of Internal Affairs, Ljubomir Frčkovski, from 1992 – “Serbia recognizes the existence of a nation, but does not accept the Macedonian state, Bulgaria recognizes Macedonia as a state but does not recognize the nation, and Greece does not accept the state or the Macedonian people”<sup>10</sup>.

### **III. Changes in the Constitution of the Republic of North Macedonia After 1991 and Conflicts Related to National Identity**

North Macedonia<sup>11</sup> is a country located in the southeastern part of the Balkan Peninsula. Macedonia proper consists of three geographical and his-

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<sup>7</sup> M. Mazover, *The Balkans, A Short History*, New York 2000, p. 219.

<sup>8</sup> Z. Sielska, *The fight for a name...*, p. 84.

<sup>9</sup> I. Stawowy-Kawka, *Historia Macedonii*, Wrocław 2000, p. 244.

<sup>10</sup> D. Stets, *Macedonia’s bloodless road to independence*, Philadelphia Inquirer 1992, p. A01.

<sup>11</sup> Macedonia changed its name twice after 1991. In the nineties, due to the conflict with Greece, the name was changed to the Former Republic of Yugoslavia, but this name was used

torical regions: Wardar Macedonia, Pirin Macedonia, and Aegean Macedonia. After the two Balkan wars at the beginning of the 20<sup>th</sup> century and the collapse of the Ottoman Empire, most of Macedonia's territory was divided between Greece (Aegean Macedonia), Bulgaria (Pyrian Macedonia), and Serbia (Wardar Macedonia). The territory of modern Macedonia was annexed to Serbia and named "Southern Serbia". During this period and in this territory, the germ and beginning of statehood and the building of the Macedonian nation were to appear. After the events of the break-up of Yugoslavia, Macedonia declared independence. At that time, in other former republics of Yugoslavia, nationalist parties, which came to power, wanted to get out of the "Tito's creation" at any cost, but in Macedonia, the mood was mostly pro-Yugoslav. Already on September 8, 1991, a referendum was held<sup>12</sup>, and in the same year, on November 17, the Macedonian parliament passed the Macedonian constitution. In the preamble to the constitution, the centuries-old struggle for the freedom of the Macedonian nation and the right to its own state was emphasized. Additionally, it was noted that "Macedonia is constituted as a nation-state of the Macedonian nation, which ensures full civic equality and the lasting coexistence of the Macedonian nation with the Albanians, Turks, Wallachians, Roma and other nationalities living in the Republic of Macedonia"<sup>13</sup>. The constitution ensured the rule of law, human freedom, the separation of powers, and the fundamental values that a modern, democratic state meets. It was the beginning of a fully independent state that was achieved without an armed conflict. At that time, Macedonia was seen as an oasis of peace, but problems with eth-

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only internationally, outside the Balkan Peninsula. For the second time in 2019, after pressure from Greece, the name was changed to North Macedonia. In the text I will use the name – "Macedonia" until 2019, while describing later events I will use the name North Macedonia.

<sup>12</sup> Strong support for Yugoslavia had a significant impact on the formation of the referendum question, as it was: "Are you for a sovereign and independent state of Macedonia, with a right to enter into any alliance with sovereign states of Yugoslavia?". The very wording of this question calmed down citizens who did not believe in a complete disintegration and 95.1% of those eligible to vote voted YES, Т. Чепреганов, *Самостојна Република Македонија*, [in:] *Историја на македонскиот народ*, ed. Т. Чепреганов, Скопје 2008, pp. 330–331.

<sup>13</sup> Constitution of the Republic of Macedonia from November 17, 1991, <https://www.sobranie.mk/content/Odluki%20USTAV/Odluka%20za%20proglasuvanje%20na%20Ustavot%20na%20RM.pdf> (10.09.2021).

nic and national minorities and neighboring states were also important in shaping the young nation and the legal system.

Already at the beginning of its independence, Macedonia was faced with many conflicts related to national issues. One of them was the Greek-Macedonian conflict. First of all, Greece accused Macedonia of stealing part of its cultural heritage, emphasizing that Macedonia is a geographical and historical concept, referring to a region in Greece and not a state with its capital in Skopje<sup>14</sup>. At that time, Macedonia as an independent state sought to join international organizations such as the North Atlantic Pact and the European Union. Therefore, under pressure from Greece, in 1992, Macedonia had to adopt two constitutional amendments providing for no claims to other countries' territories<sup>15</sup> (Amendment I changed Article 3 of the Constitution and Amendment II changed Article 49). The amendments made to the Constitution of the Republic of Macedonia were intended to guarantee that Greece would not have any territorial claims from the Macedonian side. However, the conflict with Greece was not completely resolved because in 1995, Macedonia, under pressure from Greece, was forced to change its name from the Republic of Macedonia to the Former Yugoslav Republic of Macedonia FYROM<sup>16</sup>, and thus was recognized by Greece on the international arena. However, the name FYROM was used only in the international arena. The name "Republic of Macedonia" was still used within the country and the region.

Another conflict in North Macedonia was the Albanian-Macedonian dispute. Albanians are the largest minority in North Macedonia. According to the most recent census carried out in 2002, 25.2% of people living in this country are Albanians<sup>17</sup>. The Albanian minority has lived in the territories

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<sup>14</sup> Z. Sielska, *The fight for a name...*, p. 86.

<sup>15</sup> T. Karakamisheva Jovanovska, *Macedonian Constitutional Story*, <http://pf.ukim.edu.mk/wp-content/uploads/2019/05/9.-Prof.-Karakamisheva-Jovanovska.pdf?fbclid=IwAR3B-fx98uUA3cQx7cXpdnkW9pbKaRm1IixWjW2kfgXGDxLcNcMfvBP8cijw> (10.09.2021); The amendment from January 6, 1992, <https://www.sobranie.mk/content/Odluki%20USTAV/Odluka%20za%20proglasuvanje%20na%20amandmanite%20I%20i%20II%20na%20Ustavot%20na%20RM.pdf> (20.09.2021).

<sup>16</sup> Names such as "The Republic of Skopje" and "Vardaria" were also suggested.

<sup>17</sup> *Census of Population, Households and Dwellings in The Republic of Macedonia*, Book XIII, Republic of Macedonia State Statistical Office, Skopje 2002, <http://www.stat.gov.mk/Publikacii/knigaXIII.pdf> (5/02/2013). Albanian minority is concentrated in the north-western

of Macedonia for centuries. However, following the break-up of Yugoslavia, there was an increased influx of Albanians from Kosovo, as some 300,000 refugees have fled military operations<sup>18</sup>. In the face of increasing claims by Albanians, in 2001, an armed conflict broke out in Tetovo between the armed groups of the Kosovo Liberation Army (Ushtria Çlirimtare Kombëtare – UÇK; Ослободителна народна армија – ОНА, Osloboditelna narodna armija – ONA) and the Macedonian army<sup>19</sup>. Military operations took place in Tetovo and the north part of Macedonia until August 2001. Subsequently, under pressure from NATO and the European Union, on August 13, 2001, amendments to the Constitution of the Republic of Macedonia were approved and signed in Ohrid. The Ohrid Framework Agreement officially ended the armed conflict.

In negotiations of an international agreement the Macedonian side was represented by two parties, VMRO-DPMNE (Vnatrešna makedonska revolucionerna organizacija – Demokratska partija za makedonsko nacionalno edinstveno) and SDSM (Socijaldemokratski Sojuz na Makedonija), as well as the Albanian side which was also represented by two parties, DPA (Demokratska Partija na Albancite) and PDP (Partija za Demokratski Prosperitet)<sup>20</sup>. The Ohrid Agreement included, among others, changes in terminology – “national minority”, “Macedonian people”, “nationalities”, and their substitutes – “majority population”, “communities”, and “non-majority communities”. Additionally, amendments to the preamble to the constitution were passed<sup>21</sup>.

Following the Ohrid Agreement, the constitutional provisions on language-related issues were also amended, as ethnic communities were grant-

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part of the country and in the region near the capital of Macedonia. This nation appeared in Macedonia as early as the Ottoman era, between the 19<sup>th</sup> and 20<sup>th</sup> centuries. Moreover, the Ottoman Turks supported the settlement of Albanians in the Balkan Peninsula, because these people readily changed their religion to Islam and supplemented the ranks of the Ottoman army. I. Stawowy-Kawka, *Problem albański w Republice Macedonii*, “Prace Komisji Środkowo-europejskiej PAU”, Kraków 1996.

<sup>18</sup> P. Majewski *(Re)konstrukcje Narodu, Odwieczna Macedonia powstaje w XXI wieku*, Gdańsk 2013, p. 162.

<sup>19</sup> Z. Sielska, *Albanian Minority questions in Macedonia: Selected Issues*, “Political Preferences” 2018, vol. 19, pp. 81–83. DOI: 10.6084/m9.figshare.6726944.

<sup>20</sup> UÇK was not included either in the negotiations or in the Ohrid Agreement.

<sup>21</sup> Constitution of the Republic of Macedonia from November 17, 1991, <https://www.sobranie.mk/content/Odluki%20USTAV/Odluka%20za%20proglasuvanje%20na%20Ustavot%20na%20RM.pdf> (10.09.2021).

ed the right to study in their language at higher education (financed from the state budget), and regulation was introduced that in municipalities with more than 20% of Albanians, the Albanian language is valid as the official language (Amendment V replaces Article 7 of the Constitution of the Republic of Macedonia)<sup>22</sup>. In addition, all religious communities, the Macedonian Orthodox Church, the Islamic Religious Community in Macedonia, the Catholic Church, Evangelical Methodist Church, the Jewish Community, and others, were guaranteed equality before the law (amendment replaces paragraph 3 of Article 19 and Item 2 replaces paragraph 4 of Article 19 of the Constitution of the Republic of Macedonia)<sup>23</sup>.

The Ohrid Agreement was an important event and ended a dispute that could escalate into a more serious armed conflict or even a war. However, the antagonisms did not disappear. The controversy was caused by the growing demographics in the cities, which led to the total domination of Albanians, such as in Struga or Kičevo. At present, Macedonians' relations with the Albanian minority are correct but remain unresolved. In 2017, they created the Albanian parties in Macedonia Albanian Platform, which negotiated the creation of a ruling coalition with SDSM. Their ultimatum was to establish the Albanian language as an official language. In March 2018, the Macedonian parliament passed a law granting the Albanian language the status of the second official language in Macedonia<sup>24</sup>.

After many years of the Greek-Macedonian conflict, an opposition party came to power in 2017. As a result of long negotiations, the government was created by Zoran Zaev's party -- SDSM. The new pro-EU government expressed its willingness to resume negotiations with Greece<sup>25</sup>. Thanks to this, the negotiations were continued, and on January 24, 2018, in Davos, where Greek and Macedonian prime ministers met for the first time after almost a decade of freezing relations. The head of the Macedonian government, Zoran Zaev,

<sup>22</sup> Z. Sielska, *Albanian Minority questions in Macedonia...*, pp. 83–84.

<sup>23</sup> The amendment from December 16, 2001, <https://www.sobranie.mk/content/Odluki%20USTAV/Odluka%20za%20proglasuvanje%20na%20amandmanite%20IV-XVIII%20na%20Ustavot%20na%20RM.pdf> (10.09.2021).

<sup>24</sup> Z. Sielska, *Albanian Minority questions in Macedonia...*, p. 87.

<sup>25</sup> J. Wojnicki, *The formation of the Party System in Republic of Macedonia*, "Annales Universitatis Mariae Curie-Skłodowska Lublin – Polonia" 2016, vol. I, Sectio M, DOI: 10.17951/m.2016.1.157.



expressed a desire to change the country's name to "North Macedonia" and give up the name of the main airport and highway (both objects were named after Alexander the Great/Macedonian). Thanks to these declarations, on June 12, 2018, an agreement was reached between the Macedonian Prime Minister and the head of the Greek government, Alexis Tsipras<sup>26</sup>. Athens has chosen to recognize Macedonia as the "Republic of North Macedonia". The agreement culminated a 27-year-long dispute between the two countries, which opened the way for Macedonia to join NATO and the European Union.

The consequence of the Prespa agreement was the Parliament of the Republic of Macedonia meeting, which took place on January 11, 2019, at which amendments to the Constitution of the Republic of Macedonia were passed. The most important amendment changed the name of the country from the "Republic of Macedonia" to the "Republic of North Macedonia" and the phrase "Macedonia" to "North Macedonia" (except for Art. 36 of the Constitution; Amendment XXXIII to the Constitution of the Republic of Macedonia). In addition, the amendment to the constitution also changed the preamble, as it removed parts that raised Greek concerns about Macedonian territorial claims and added a reference to the Ohrid Agreement. Another amendment changed article 3 of the constitution by adding a declaration of respect for neighboring countries' independence, territorial integrity, and political independence. An amendment was also introduced, according to which the state undertakes to protect the rights and interests of citizens living abroad, but at the same time does not interfere in the internal affairs of other states. This amendment lists the nationalities in order: "The republic cares for the Macedonian diaspora and a part of the Albanian, Turkish, Wallachian and Serbian people, and fosters and promotes ties with the motherland"<sup>27</sup>.

Voting on amendments to the constitution was a success of the government of Zoran Zaev because he was able to convince some members of the opposition (VRMO-DPMNE) and the representatives of the Albanian minority. However, changing the names and other concessions in the direction of Greece and Albanians living in Macedonia divided the citizens of this state.

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<sup>26</sup> The agreement is often called Prespa Agreement after the Macedonian Prespa lake where the agreement was signed.

<sup>27</sup> The amendment from January 11, 2019, <https://www.sobranie.mk/content/Odluki%20USTAV/odluka-amandmani-11.1.19.pdf> (10.09.2021).

Some people believe that giving up a part of the national identity and the emblems associated with it, such as the name of the country, part of history, and language, is too much of a concession. Others do not want further isolation of the state in the international arena and can accept the changes to the Northern Macedonia accession to the European Union and the North Atlantic Treaty.

#### **IV. Conclusion**

Macedonians create their identity, and thus their separateness from others, with the help of elements that bind the community together, such as – the state, religion, and language. As early as 1991, when the Republic of Macedonia gained independence, the country fought for its national independence. At that time, there were many conflicts related to Macedonian identity. The Macedonian-Greek conflict over the state's name and its cultural and historical heritage began in 1991. At that time, Macedonia decided to amend the constitution due to the lack of territorial claims. Greece cared about this provision because it feared the claims of the newly independent state against the region in northern Greece – Macedonia (Aegean). The last amendment ending the Macedonian-Greek conflict changed the name of the country from Macedonia to North Macedonia. However, an armed incident took place in 2001 during the Albanian-Macedonian internal conflict. Consequently, in August, the Macedonian and Albanian parties signed an international agreement with Ohrid, followed by amendments to the constitution. The most important were the changes concerning granting ethnic communities the right to study in their language at higher education (financed from the state budget) and the regulation stipulating that in municipalities with over 20% of minority citizens and other nationalities, their language is introduced as an official language in addition to Macedonian. Currently, the conflict between Macedonians and Albanians living in North Macedonia has not been completely resolved. There are incidents and disputes all the time.

Macedonian constitution has thirty-six amendments, of which twenty-one were a result of international pressure or pressure from the other side of the conflict. The last amendment changed the state's name, which opened the way for Macedonia to join NATO and the European Union. North Macedo-

nia joined NATO on March 27, 2021, but accession negotiations with the EU have not started yet because of Bulgarian objections.

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