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Promoting Unity: The Constitutional Significance of Multiethnicity in North Macedonia

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Abstract

This paper critically examines the constitutional significance of multiethnicity in North Macedonia, focusing on its role in mitigating ethnic tensions and promoting national unity. Despite constitutional provisions and the landmark Ohrid Framework Agreement of 2001 aimed at safeguarding community rights and cultural autonomy, challenges persist in the effective implementation and impact of multicultural policies. The paper explores how these policies have navigated issues such as linguistic rights, educational equality, and political representation for ethnic minorities. It critiques the gap between constitutional ideals and practical outcomes, highlighting instances where multiculturalism has faced resistance or failed to fully address deep-rooted ethnic divisions. By analyzing these complexities, the study aims to offer insights into the broader implications of multiculturalism on social cohesion, political stability, and democratic governance in North Macedonia.

Keywords: Multiculturalism, Constitutional significance, North Macedonia, Ethnic diversity, National unity.

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1. Introduction

North Macedonia, nestled in the heart of the Balkans, embodies a mosaic of cultural, linguistic, and ethnic diversity that has shaped its historical and contemporary identity. The country's transition from Yugoslavia in 1991 and subsequent independence marked a pivotal moment in its trajectory towards nation-building amidst a backdrop of diverse ethnic communities. However, this transition was not without its challenges, as ethnic tensions and conflicts persisted, necessitating a constitutional framework that could accommodate and respect the rights and identities of its diverse population.

Central to North Macedonia's efforts to reconcile its multicultural society is the Ohrid Framework Agreement of 2001. Signed to end the armed conflict between ethnic Albanian insurgents and the government, this landmark agreement introduced constitutional amendments aimed at enhancing the rights of ethnic minorities. It recognized Albanians and other ethnic groups as constitutive elements of the state, enshrining principles of equality, non-discrimination, and cultural autonomy within the constitutional fabric. By institutionalizing multiculturalism, North Macedonia sought to promote unity through diversity, ensuring that all citizens could participate fully in political, social, and economic life regardless of their ethnic background.

The constitutional significance of multiculturalism in North Macedonia extends beyond legal frameworks to encompass societal values and aspirations for inclusive governance. Multiculturalism here is not merely a policy directive but a foundational principle that acknowledges the country's pluralistic identity and seeks to harness its diversity as a source of strength. By safeguarding community rights, promoting linguistic diversity, and supporting cultural institutions, the constitutional framework fosters an environment where different ethnic communities can coexist harmoniously while contributing to the nation's shared prosperity and stability.

Despite these constitutional provisions, challenges persist in the practical implementation and effectiveness of multicultural policies in North Macedonia. Issues such as unequal access to education and employment opportunities, language barriers in public administration, and occasional outbreaks of inter-ethnic tensions underscore the complexities of managing a multicultural society. Furthermore, political rhetoric and electoral strategies sometimes exploit ethnic divisions for short-term gains, undermining efforts towards genuine reconciliation and societal cohesion.

Moving forward, the effectiveness of multiculturalism in North Macedonia hinges on addressing these challenges through enhanced institutional capacity, proactive policies, and sustained efforts towards social integration. Strengthening democratic governance, promoting inter-cultural dialogue, and investing in economic development across all regions are crucial steps towards building a more inclusive society. By learning from past experiences and leveraging international support, North Macedonia can continue its journey towards fostering unity amidst diversity, thereby consolidating its democratic gains and advancing towards its European aspirations.

In conclusion, the constitutional significance of multiculturalism in North Macedonia represents a dynamic process of nation-building and reconciliation. By examining the historical context, legal frameworks, implementation challenges, and future prospects of multiculturalism, this study aims to provide insights into the complexities of managing ethnic diversity within a democratic framework. Understanding these dynamics is essential for shaping policies that promote social cohesion, uphold community rights, and strengthen the foundations of democratic governance in North Macedonia and beyond.

2. Multiculturalism: Theory, Practice, and Challenges

According to Miller, multiculturalism is seen as a normative concept, signifying an ideology that not only values cultural diversity, but also demands equal acknowledgement of varied cultural groups and asks the state to lend its support in different ways (Miller, 2006, p. 326). Typically, multicultural policies are aimed at advancing equality in all realms of societal

life, fostering organizations that unite people from diverse ethnicities, religions, and cultures, and advocating for mutual respect and acceptance in educational institutions (Miller, 2006, p. 332). In addition, these policies often expand the choices available to individuals and push for equality by breaking down barriers and challenging prejudices that put ethnic and racial minorities at a disadvantage (Banting & Kymlicka, Introduction: Multiculturalism and the welfare state: Setting the context, 2006, p. 2).

The term 'multicultural policies', lacks a universally agreed-upon definition and carries different implications in different nations. In some instances, 'multiculturalism' encompasses a broader spectrum of diversity, including aspects like gender, sexual orientation, disability, and others. Seen in this wider perspective, multiculturalism is almost synonymous with the politics of recognition (Banting, Johnston, Kymlicka, & Soroka, 2006, p. 51). This variation in the interpretation of multiculturalism underlines its intricacy and dynamic nature (Kymlicka, *The Rights of Minority Cultures*, 1995).

For a multicultural society to function effectively, it should instill a strong sense of unity and shared belonging among its citizens. Without this, it becomes difficult to make and enforce collective decisions, and manage conflicts (Parekh, 2006, p. 196). In essence, multiculturalism calls for reducing risks for all nationalities, social groups, and cultural communities, with the state assuming the role of a guardian of everyone's identity (Walzer, 1994, p. 102).

Gutmann (1994) presents a universalistic view of liberal democracy, emphasizing that multiculturalism demands political impartiality towards various conceptions of a good life and backs specific cultural values through public institutions, provided basic rights are upheld, citizens are not manipulated, and public officials remain democratically accountable (Gutman, 1994, pp. 10-11).

In the following discussion, we'll delve into the question of multiculturalism's success or failure in North Macedonia, with a specific focus on its constitutional framework and the potential challenges to preserving cultural identity. We'll critically examine the implementation and outcomes of North Macedonia's multicultural policies, the ramifications these policies might have on the unique cultural identities of different ethnic and social groups, and thus, provide a comprehensive understanding of the current multicultural landscape in North Macedonia.

3. Plural Societies and Conflict Management: Power Sharing in multiethnic societies

Jarrett defines plural societies as those characterized by multiple distinct segments, which can be based on various factors such as ethnicity, race, language, culture, religion, region, ideology, among others. These divisions can intersect, for example, a society could be segmented by both ethnicity and nationality or ethnicity and language (Jarrett, *The Limit of Consociational Power Sharing*, 2021, p. 37). Power sharing implies a distribution of authority and the ability to execute actions. It also necessitates that all involved parties have visible and significant roles in decision-making processes. This concept is often associated with positively perceived terms like "coalition" or "cooperative" government, and "consensual" and "inclusive" decision-making (O'Leary, 2013, pp. 1-3).

O'Leary (2013) explains that the goal of power sharing is the arrangement of political institutions to prevent the monopoly, of executive, legislative, judicial, bureaucratic, military, *or cultural power*. Four principal sets of instruments accomplish this goal;

1. *“Political bodies (executive, legislative, judicial, and administrative) organized to ensure both “shared rule” and “selfrule” among the relevant agents;*
2. *Security bodies: militaries, police, and intelligence agencies,*
3. *Economic policies, principally wealth- sharing formulae, that reinforce the power sharing within the political bodies*
4. *Policies and practices that preserve cultural pluralism.”* (O'Leary, 2013, pp. 3-4)

Jarrett proposes that significant divisions or "segmental cleavages" occur when political lines align closely with significant societal differences (Jarrett, *Peace and Ethnic Identity In Northern Ireland, Consociational Power Sharing and Conflict Management*, 2018, p. 46). He particularly emphasizes religion as a prominent cause of societal division (Jarrett, Peace and

Ethnic Identity In Northern Ireland, Consociational Power Sharing and Conflict Management, 2018, p. 47). Countries like North Macedonia exemplify plural societies where divisions based on ethno-national lines are apparent. Jarrett identifies common traits of an ethnic community, which include a shared name, lineage, culture, historical memories, connection to a homeland, and a sense of unity (Jarrett, Peace and Ethnic Identity In Northern Ireland, Consociational Power Sharing and Conflict Management, 2018, p. 47).

Quoting McGarry and O'Leary, Jarrett presents two strategies for mitigating conflict in plural societies (Jarrett, Peace and Ethnic Identity In Northern Ireland, Consociational Power Sharing and Conflict Management, 2018, p. 48). One is integration, which rests on the idea that identities are mutable and can change; integrationists resist political activation along divisions such as ethnicity, nationality, culture, or religion (Jarrett, Peace and Ethnic Identity In Northern Ireland, Consociational Power Sharing and Conflict Management, 2018, p. 47). The other strategy is accommodation, which usually considers identities as set and unchangeable. Proponents of accommodation seek to establish political structures that include and reflect a range of public identities (Jarrett, Peace and Ethnic Identity In Northern Ireland, Consociational Power Sharing and Conflict Management, 2018, p. 47). This approach values the preservation of distinct identities while simultaneously promoting mutual understanding and collaboration among various ethnic groups. Accommodation contributes to a harmonious environment in which multiple ethnic communities can coexist without the need to assimilate into a single national identity. It also encourages political structures that permit a diversity of public identities, ensuring better representation for community groups, thereby reducing the chances of conflict due to perceived marginalization or unequal treatment.

4. Constitutional Evolution and Multiethnicity in North Macedonia

North Macedonia's journey towards establishing a multicultural and multiethnic society has faced numerous obstacles, primarily due to the enduring discord between the majority Macedonians and the community Albanians. These challenges are deeply rooted in the historical and political context of the country. One of the main hindrances to fostering multiethnicity in North Macedonia can be traced back to the inadequacies of the country's initial constitution. The constitution did not offer provisions for decentralization, which would have enabled increased local authority and the accommodation of distinct ethnic groups' needs. This concentration of power has stirred discontent among community groups, who have consistently advocated for more significant involvement in decision-making processes. This lack of policies has resulted in the underrepresentation of minorities in public institutions, engendering a sense of alienation and inciting divisions among ethnic communities.

By comparing the preambles of the constitution of North Macedonia passed in 1991, one can observe a shift in focus concerning the acknowledgement and representation of various ethnic groups within the country.

In the first preamble is stated:

“Starting from the historical cultural, spiritual and state heritage of the Macedonian people and from its centuries-old struggle for national and social freedom and to create your own state, and especially from the state-legal traditions of the Republic of Kruševo and the historical decisions of ASNOM and the constitutional-legal continuity of the Macedonian state as a sovereign Republic in Federated Yugoslavia, from the freely expressed will of the citizens of the Republic of Macedonia in the referendum of September 8, 1991, as well as from the historical fact that Macedonia was constituted as a national state of the Macedonian people in which ensures full civil equality and permanently coexistence of the Macedonian people with the Albanians, the Turks, Vlachs, Roma and other nationalities living in the Republic of Macedonia”.... (Constitution of the Republic of North Macedonia, 2022)

In the initial preamble, the emphasis is predominantly on the historical and cultural legacy of the Macedonian populace, while other ethnic groups are merely classified as "nationalities" residing within the Republic of Macedonia.

In connection to the ``nationalities`` expression in article 48 is replaced by amendment VIII to Communities:

``Article 48: ``Members of the nationalities have the right to freely express, nurture and develop their own and national identity peculiarities`` is replaced by amendment VIII Article 48: Members of the communities have the right to freely express, nurture and develop their identity and the particularities of their communities and to use the symbols of their community.'' (Constitution of the Republic of North Macedonia, 2022)

The revision to Article 48, which substitutes "nationalities" with "communities," indicates a transition in how the constitution regards the various ethnic groups in the country. This alteration can be interpreted as an effort to foster a more inclusive method of recognizing and safeguarding the rights of different ethnic groups.

In 2001, the preamble of the constitution underwent revisions once more;

"The citizens of the Republic of North Macedonia, the Macedonian nation, as well as citizens living within its borders who are part of the Albanian nation, the Turkish nation, the Vlach nation, the Serbian nation, the Roma nation, the Bosnian nation 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 endeavors and struggle to create the independent and sovereign state of Macedonia.... " (Constitution of the Republic of North Macedonia, 2022)

In 2019 the preamble of the constitution is subject to changes again in which the sentence ``as well as citizens living within its borders who are`` is deleted and remains as follows:

"The citizens of the Republic of North Macedonia, the Macedonian nation, part of the Albanian nation, the Turkish nation, the Vlach nation, the Serbian nation, the Roma nation, the Bosnian nation 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 endeavors and struggle to create the independent and sovereign state of Macedonia. " (Constitution of the Republic of North Macedonia, 2022)

The phrase "as well as citizens living within its borders who are" was interpreted as a potential attempt to marginalize other ethnicities, notwithstanding their significant presence in North Macedonia. This perception led to constitutional modifications on January 11, 2019 (Constitution of the Republic of North Macedonia, 2022). In the 2019 version of the preamble, the phrase "as well as citizens living within its borders who are" was deleted.

The term "part of," as employed in the 2019 revised preamble of the constitution of the Republic of North Macedonia, introduces a degree of ambiguity in the status of various ethnic groups in the nation. It is susceptible to differing interpretations, which can cause tension and challenges in multiethnic societies.

From a sociopolitical perspective, the term "part of" could be interpreted as implicitly creating a dichotomy between the 'whole' (Macedonian people) and the 'parts' (Albanian, Turkish, Vlach, Serbian, Roma, Bosnian people, and others). This dichotomy may inadvertently propagate a sense of fractional or incomplete citizenship system and doesn't really contribute to a citizenship constitution where all ethnicities may be citizens of the Republic of North Macedonia.

Politically, the issue of ethnic representation and recognition in the constitution have significant implications, party alignment, voter behavior, and policy decisions. The perception of partial recognition or potential marginalization can fuel nationalist tendencies and exacerbate inter-ethnic conflicts.

Moreover, the Population Census of September 2021 illustrated that other ethnicities combined constituted nearly half of the population in the Republic of North Macedonia (Enti Shtetëror i Statistikes, 2022). Among the total enumerated population, 54.21% identified themselves as Macedonians, 29.52% as Albanians, 3.98% as Turks, 2.34% as Roma, 1.18% as Serbs, 0.87% as Bosniaks, and 0.44% as Vlachs (Enti Shtetëror i Statistikes, 2022). This data underscores the multiethnic nature of North Macedonia, demonstrating a diverse and complex fabric of communities that reside in the country.

Articles 1 and 2 of the constitution emphasizes the political system that North Macedonia have embraced and articles 69 explains that the system is majoritarian:

Articles 1 and 2:

"The Republic of Macedonia is a sovereign, independent, democratic and social state. The sovereignty of the RM is indivisible, inalienable, and non-transferable. In the RM sovereignty derives from the citizens and belongs to the citizens. The citizens of RM exercise their authority through democratically elected Representatives, through referenda and through other forms of direct expression."

Article 69;

The Assembly may work 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 (Constitution of the Republic of North Macedonia, 2022).

Items 1 and 2 of Amendment X that replaces article 69:

1. The Assembly can take a decision if its sitting 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, where a different type of majority is provided by the Constitution.

2. For laws that directly affect culture, use of language, education, personal documentation, and use of symbols, the representatives attending, within which there must be a majority of the votes of the Representatives attending to communities not in the majority of the population of Macedonia. Any dispute regarding the application of this provision is resolved by the Committee on Inter-Community Relations (Constitution of the Republic of North Macedonia, 2022).

Article 69's second clause, known as the Badinter principle, represents a consociationalism veto right: for regulations directly impacting culture, language usage, education, personal documentation, and symbols, a dual majority—both in parliament and among non-majority community representatives—is required (Merdzanovic, 2015, pp. 389-390). While the Ohrid Framework Agreement has incorporated aspects of a consociationalism political system into North Macedonia, including the double majority or Badinter principle in Article 69, concerns linger regarding the risk of majority encroachment.

Branislav Sarkanjac underscores that mutual recognition and respect must precede everything else, as the postmodern discussion on national identity in the Balkans' context won't succeed without it (Dodovski, 2012, p. 94).

The journey towards a multicultural society in North Macedonia has been obstructed by several factors, including the deficiencies of its initial constitution, the lack of affirmative action measures, the underrepresentation of communities in decision-making processes, and insufficient support for community language education. These issues have perpetuated impeding strides towards a genuinely inclusive and peaceful society. Addressing these challenges is crucial to nurturing an environment that celebrates and respects the array of identities that compose North Macedonia.

5. Consociationalism as a solution to ethnically divided societies

The fundamental notion of democracy within a majoritarian perspective is defined as the rule "by the majority of people", suggesting that the majority should govern and the community should resist. However, the consensus model of democracy challenges this viewpoint (Lijphart, *Patterns of Democracy, Government Forms and Performance in Thirty - Six Countries*, 1999, p. 41).

Expanding on Lijphart's work (2018), the relevance of consociationalism in diverse environments becomes evident. While a majoritarian democracy might be suitable for more homogenous nations, consociationalism and consensus-based democratic models are adept at addressing the specific difficulties encountered by societies fragmented along ethnic and religious lines (Lijphart, 2018, p. 4). Through encouraging power sharing, inclusivity, and collaboration between various groups, consociationalism nurtures a political landscape that is stable and peaceful, meeting the needs and considerations of all societal segments. In doing so,

consociationalism not only boosts democratic processes but also strengthens the enduring stability and resilience of diverse countries.

As a method for power sharing accommodation, consociationalism includes all significant factions within legislative and executive bodies, promotes proportionality in public administration, and leans towards proportional electoral systems (Jarrett, Peace and Ethnic Identity In Northern Ireland, Consociational Power Sharing and Conflict Management, 2018, p. 49). This elite-centric, 'top-down' approach is especially effective in societies fractured along ethnic lines. By ensuring the inclusion of all major groups in the decision-making process, consociationalism adeptly navigates the challenges such societies face, fostering stability and guarding against the sidelining of community communities.

Consociationalism offers a power-sharing solution in societies that are deeply divided. It aims to manage conflicts and promote democratization in these societies by acknowledging and accommodating various ethnic or religious communities within government and societal structures based on proportionality (Doorenspleet & Maleki, 2018, p. 16). However, it risks intensifying divisions between these groups, who may become increasingly fundamentalized and isolated from one another (McCulloch, 2021, pp. 2-3). Yet, the success of consociationalism is often reliant on the readiness of previous adversaries to participate in arrangements and engage with each other (Doorenspleet & Maleki, 2018, p. 16).

Willingness, in this context, refers to the circumstances under which parties' consent to distribute power, or consider power-sharing as a suitable framework for addressing and resolving their shared disputes (McCulloch, 2021, p. 4). However, in North Macedonia, the endeavor to establish a more consensual democratic system has been impeded by a lack of such willingness and a strong prevalence of ethnic nationalism. The intricate ethnic composition of the country, characterized by a Macedonian majority and a significant Albanian community, frequently results in conflicts and discord over power-sharing provisions. The dominant ethnic nationalist attitudes within both communities obstruct consensus-building and mutual collaboration among distinct ethnic factions. This reluctance to engage in consociational power-sharing hinders the full materialization of a comprehensive and consensus-driven democratic system in North Macedonia. To transition towards a more tranquil and stable political environment, it's essential for the country's political stakeholders to surmount these obstacles and display a greater willingness to partake in power-sharing configurations that cater to the desires and requirements of all ethnic communities within the country.

According to McCulloch, consociationalism remains a highly debated topic, with several key concerns frequently discussed. In summary, these concerns can be organized into three main categories:

- *Adoption challenges: Consociationalism is hard to implement because majorities and minorities have different preferences for state structures, making consociational settlements rare.*

- *Functionality issues: Consociationalism is often seen as dysfunctional since it brings together diverse, reluctant partners, making consensus difficult to achieve and potentially leading to immobilism, deadlock, and ethnic outbidding.*

- *Modification and transition difficulties: Consociationalism is considered "sticky" as it locks in divisive identities, hindering a transition to majoritarian politics and making reforms or exits from consociational arrangements challenging" (McCulloch, 2021, p. 3).*

6. Challenges and Progress: Macedonia's Journey to Democracy

Invoking John Stuart Mill (1806–1873), Ramet points out that multiethnic societies can present significant hurdles to establishing stable, representative governments. The presence of diverse languages and cultural backgrounds can potentially impede the formation of a united public opinion, crucial for the functionality of such governments. However, Ramet also emphasizes that the complexities introduced by multiethnicity or multilingualism do not necessarily mean disaster for a state, unless accompanied by other destabilizing factors (Ramet, Alternatives to Democracy in Twentieth - Century Europe: Collectivist Visions of Modernity,

2019, pp. 353-354). So, although multiethnicity and multilingualism add complexity to the establishment of representative governments, they don't inherently threaten the state's stability.

In Yugoslavia's history, democratic elections at the federal level were absent. The Yugoslav federal National Parliament was chosen via an intricate indirect delegate system as per the 1974 constitution. After the League of Communists' disintegration at the 1990 party congress, there was no institution powerful enough in Yugoslavia to enforce federal elections. From the mid-1990s onward, several Balkan nations, including Macedonia and Serbia, made adjustments to their power dynamics, often aimed at eradicating traces of authoritarianism. This often led to a reduction in presidential powers to align with their constitutions (Bakke, 2010, pp. 68-72).

Emerging democracies are prone to experience institutional shortcomings, a natural outcome considering that the development and establishment of credible institutions require time. In regions including Macedonia, specific officials such as judges and police officers were comparatively underpaid. Moreover, the professional ethic that prioritizes public welfare over personal advantage wasn't firmly established. Post the downfall of the communist organizational monopoly during 1989-90, Macedonia was marked by high corruption rates, emphasizing the persistent problem of corruption in the post-socialist world (Ramet, *Alternatives to Democracy in Twentieth - Century Europe: Collectivist Visions of Modernity*, 2019, p. 355). The move towards democracy was characterized by institutional frailties, especially prominent in Macedonia due to an absence of professionalism and extensive corruption.

The nation carried the burden of structural economic inflexibility, pervasive corruption, and minimal foreign investment from its time as part of Yugoslavia (Irwin Z. T., 2010, p. 330). Macedonia grappled with not just corruption, but also a variety of problems such as being the poorest nation in the region, and other socio-economic issues. These factors served to hinder the democratization process, making the transition to a stable, functional democratic system challenging.

Federalization contributed to the institutionalization of national disputes, specifically in Yugoslavia post-1974. Ethnic, religious, and regional divisions endured beyond the communist regimes, and socio-economic conflicts surfaced between those who benefited from and those who were disadvantaged by the economic transition. Parties from the former regime were equipped with experienced leaders, extensive memberships, newspapers, office facilities, and other resources. In contrast, popular fronts and forums initially lacked these assets, despite their superior democratic legitimacy (Bakke, 2010, p. 71). In the case of Macedonia, the situation between Macedonian and Albanian political parties mirrored this pattern. Macedonian parties, which were part of the previous regime, had access to resources and experienced politicians. On the other hand, other communities' parties, lacked the necessary resources and experienced leadership to effectively compete in the political arena. Apart from corruption, the country also struggled with persistent ethnic tensions, economic hardship, and various social issues hindering its democratic transition.

NATO and the EU have played an instrumental role in Macedonia, aiding democratic reform, and performing peacekeeping roles among its citizens. EU membership has been proposed as a reward for democratic stability. The prospect of such an outcome enjoys popular support and allows the application of what is termed as "passive and active leverage" over Macedonia's political decisions (Irwin Z. T., 2010, p. 329). In the face of these challenges, the EU and NATO have been actively involved in encouraging democratic reforms, mediating conflicts, and offering EU membership as an incentive for stability in Macedonia.

7. The Imperative of Constitutional Changes for a More Inclusive Democracy in North Macedonia

In majoritarian democracies, power is often centralized, while consensus systems aim to distribute power among various groups (McCulloch, 2021, p. 13). For societies deeply divided along ethnic, religious, or cultural lines, a democratic model that emphasizes consensus, inclusivity, and expansive governing coalitions can be more effective and beneficial (Lijphart, *Patterns of Democracy, Government Forms and Performance in Thirty - Six Countries*, 1999, pp.

20-25). This approach, known as consensus democracy, is particularly suited for addressing the challenges that arise in such diverse social contexts (Lijphart, *Patterns of Democracy, Government Forms and Performance in Thirty - Six Countries*, 1999, pp. 20-25)

Sustaining democratic rule is typically more complex in divided societies compared to those with more homogeneity. The primary objectives of an effective power-sharing system are to encourage collaboration among political elites, facilitate democratic transition, and ensure long-term peace (McCulloch, 2021, pp. 5-13). Lijphart initially associated consociationalism democracy with both societal structure and democratic system characteristics. However, contemporary distinctions between consensus and majoritarian democracies hinge solely on the nature of their political institutions (Doorenspleet & Maleki, 2018, pp. 13-14). He advocates consensus democracy as an essential choice for constitutional designers shaping a country's democratic infrastructure (Lijphart, *Democracies. Patterns of Majoritarian and Consensus Government in Twenty-One Countries.*, 1984, p. 209).

In the post-independence phase, Macedonia recognized power sharing as a vital political norm. However, the success of these institutional reforms did not adequately satisfy group preferences (McEvoy, 2015, p. 5). Albanians began to express that their cultural and identity needs were not sufficiently safeguarded within the new state, necessitating further constitutional and institutional amendments (McEvoy, 2015, p. 5). In such scenarios, the successful implementation of a power-sharing structure was obstructed by historical resentments, ethnic divides, and a lack of trust between different groups. These barriers can undermine the collaboration, compromise, and consensus building that are critical for power-sharing arrangements. Moreover, such arrangements can unintentionally inflame tensions and competition, leading to instability.

To maintain stable democracies, countries with deep societal divides of any nature require a consensus-based system of governance (Lijphart, *Democracies. Patterns of Majoritarian and Consensus Government in Twenty-One Countries.*, 1984, p. 209). There are two ways to structure consociationalism institutions: predetermined or self-determined (McCulloch, 2021, p. 3). Predetermined accommodates groups based on certain criteria like ethnicity or religion, often implementing tools like ethnic quotas and reserved seats (McCulloch, 2021, p. 3). Conversely, liberal consociation, or self-determined consociation, recognizes any significant political identities that emerge during democratic elections, whether they are rooted in ethnic or religious affiliations, or connected to subgroup or trans group associations (McCulloch, 2021, p. 3).

North Macedonia has embraced a dynamic liberal consociationalism system to adapt to demographic changes. In this system, Parliament members can choose to identify as part of communities not in the majority in the population of Macedonia. Also, any laws affecting the autonomy of local communities can only be passed with community parliament members' approval (Fontana, 2017, pp. 102-103). North Macedonia practices liberal consociation, it isn't constitutionally established. The Macedonian power-sharing arrangement seeks to include a variety of political identities that emerge during elections, thereby ensuring a more inclusive and representative democracy. This approach fosters the integration of diverse societal groups into the political process, promoting cooperation and minimizing political instability. However, it's important to recognize that this system, given Macedonia's divided society, has its own set of challenges.

The Ohrid Framework Agreement in North Macedonia was facilitated by the EU in 2001, and the main principles of power-sharing were suggested by external entities (Hulsey & Keil, 2021, p. 118). However, the influence of third parties was limited due to existing power-sharing elements in the government, like the grand coalition of Macedonian and Albanian parties since 1991, and the fact that the Ohrid Agreement only provided a power-sharing outline, with detailed and binding provisions being passed later by the Macedonian parliament (Bieber, *The Balkans: The Promotion of Power Sharing by Outsiders*, 2013, p. 314). Since Macedonia's independence, coalitions have been formed between parties representing Macedonian and Albanian communities. Notably, this grand coalition commitment is not mandated by the Ohrid Framework Agreement or the Macedonian Constitution, even though collaboration between diverse group-representing parties is essential for decisions concerning local government, culture, education, language, and state symbols (Ohrid Framework Agreement, 2022).

An instance of constitutional amendment that took place without Albanian party involvement was when Albanian representatives requested the Albanian community be recognized as a constituent nation on equal footing with Macedonians. Although Albanian representatives chose to abstain from the parliamentary vote, the constitution was endorsed with majority Macedonian support (McEvoy, 2015, p. 160). However, it is important to note that following the Ohrid Framework Agreement in 2001, the "double majority" or "Badinter majority" mechanism was introduced in North Macedonia. Nonetheless, this event underscores the possible risks and difficulties linked with the absence of constitutionally enforced power-sharing arrangements in North Macedonia. According to the Ohrid Framework Agreement (Ohrid Framework Agreement, 2022) and the Constitution of North Macedonia (Constitution of the Republic of North Macedonia, 2022), in line with the Agreement, the Macedonian Constitution was revised to introduce a "double majority" or "Badinter majority" voting system for certain critical decisions and constitutional alterations.

The "double majority" stipulation in the North Macedonian Constitution (Constitution of the Republic of North Macedonia, 2022) necessitates the majority agreement of both the total number of parliamentary members (61 out of 120) and the representatives of non-majority communities (20 out of 120) to enact specific constitutional amendments or laws. These laws predominantly pertain to those that directly affect the culture, language use, education, personal documentation, and symbols' usage (Constitution of the Republic of North Macedonia, 2022). This provision is meant to ensure the safeguarding of community communities' rights and interests during the decision-making process.

Lijphart (2018) propounded that democracy could function effectively in divided societies provided specific conditions are met. He outlined these conditions into four attributes, further grouped into two categories: cultural autonomy and the other three elements (grand coalition, proportionality, community veto) (Lijphart, 2018, p. 1). Lijphart conceptualized consociationalism democracy based on four foundational principles: (a) power-sharing executives comprising representatives from all significant factions, (b) cultural autonomy for these groups, (c) proportionality in political representation, appointments to civil services, and distribution of government subsidies, and (d) a community veto power on the most crucial issues such as community rights and autonomy (Lijphart, 2018, p. 3). Although North Macedonia displays some aspects of these principles, it could be stated that the system remains between the citizenship-based democracy and consociationalism democracy.

Conclusion

In conclusion, the constitutional recognition of multiculturalism in North Macedonia represents both a milestone and a continuing challenge in the country's journey towards unity amidst diversity. The Ohrid Framework Agreement of 2001 laid a crucial foundation by acknowledging the rights and identities of ethnic minorities, yet its implementation has faced significant hurdles. While the constitutional framework guarantees principles of equality, non-discrimination, and cultural autonomy, practical realities reveal gaps in achieving genuine societal integration and equality of opportunity.

Critically assessing the current constitution reveals shortcomings in addressing the evolving needs of North Macedonia's multiethnic society. Persistent disparities in access to education, employment, and public services highlight systemic inequalities that undermine social cohesion. Moreover, periodic outbreaks of inter-ethnic tensions underscore the fragility of reconciliation efforts under the existing legal framework. Political manipulation of ethnic identities during electoral campaigns further exacerbates divisions, posing a continual threat to national unity.

To effectively address these challenges and propel North Macedonia towards a more inclusive and stable future, there arises a compelling need for a new constitution. This constitution

should be grounded in principles that not only recognize cultural diversity but also proactively promote inter-cultural dialogue, equitable representation, and economic parity among all ethnic groups. A new constitutional framework could institutionalize mechanisms for inclusive governance, strengthen community rights protection, and enhance accountability in public administration.

Furthermore, a new constitution should be crafted through inclusive and participatory processes, involving representatives from all ethnic communities, civil society organizations, and international stakeholders. This collaborative approach would ensure that the constitution reflects the aspirations and realities of all citizens, fostering a sense of ownership and commitment to shared national goals. Embracing this opportunity for constitutional renewal presents North Macedonia with a transformative moment to consolidate democratic principles, reinforce social cohesion, and advance towards its aspirations for European integration.

In essence, while the current constitutional framework has laid important groundwork, its revision or replacement with a new constitution tailored to the complexities of a multiethnic society is imperative. Such a constitution would not only uphold fundamental rights and freedoms but also serve as a blueprint for building a cohesive and prosperous society where diversity is celebrated as a strength rather than a source of division. By embracing inclusive constitutional reform, North Macedonia can chart a course towards a future where every citizen, irrespective of ethnic background, can contribute meaningfully to the nation's collective success and wellbeing.

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