

USA AS A UNIQUE MODEL OF A FLEXIBLE AND LIBERAL LANGUAGE POLICY IN THE WORLD

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ABSTRACT

Having a closer look as to how languages are used in the United States, it does give you a clear glimpse that does not match many other countries in the world. The USA does not have an official national language policy, a perfect example proving that languages are to be used in both official and unofficial ways, exclusively according to the demographic picture of its citizens and the regions they dwell. In the USA, language policies, implicit or explicit, are used to influence and control social behavior and communication, and the U.S. is a good example to this. This paper aims to make a comparison between the case of Macedonia and the USA, seen from the legal perspective. If the USA does not prohibit states from having one or another official language, in Macedonia, it is the Constitution which does not clearly state the use of Albanian as an official language, equivalent to the Macedonian. Furthermore, the majority of the U.S. states have designed English their official language; on the other hand, in New Mexico the Commonwealth of Puerto Rico and Hawaii there have designated both English and Spanish as co-official languages. Then why Macedonia can't do the same with designing Albanian as an official language as well? Should the current government as well as the one to come after the elections in December, profit from this approach, helping them solve the problem for good? If so, the Language Policy model in the USA can be a good example for the case, tracing the path of stable future for this tiny and politically troubled state of Macedonia, and getting it stabilized and firm on its way towards the European Integrations and NATO.

Keywords: Language, policy, flexible, constitution, practical use, solution

Introduction to the topic

Given the fact that in the north western parts of the Republic of Macedonia, is concentrated an Albanian minority as well as Albanian speaking minority of cca 35 % (unofficial data), the post-communist Macedonia, has been undergoing difficulties regarding an accurate number of this non-Slavic population. Namely, this has been the persisting problem which has created political frictions between the two largest communicates in the country, trying constantly to both, solve or let the problem become even more complex. As the second opinion, is the one which has been treated by the ethnic Albanians themselves, it has represented a real hot potatoes, in the

hands of the Governments as well as politicians from both sides. Having in mind the fact that the Ohër agreement, held back in August 2001, ended the conflict between these two communities, as a result of the permanent International intermediaries from USA and EU institutions, monitoring and helping the negotiations between the representatives of the two blocks, some years later, resulted with some superficial changes in the constitution of the state. The article 7 of the constitution states that: Macedonian is the official language of the state, whereas, regions and places where another language other than Macedonian is spoken can be considered to be used only if this minority exceeds 20% of the total population of that very city/town or region whatever, and only for oral communication with the respective officials. Such a constitutional design for a language policy is extremely vague, xenophobic, for the very fact that it does not mention the name of the non-Slavic population which speaks this language, i.e. the Albanian. This law seems to be the crisis generator between these two communities, often blocking and disputing the Parliament. An in depth comparative method of research has been put into function, gathering data from several constitutions of the countries having solved the problem, countries which are known to practice a just and very functional language policy to be taken as a model for Macedonia.

The legal frame, concerning languages in several democratic countries The Constitution in the R. of Macedonia (a comparative approach)

The Constitution of the R. of Macedonia, (Part III, and art.7) says that: The official language of the State is the Macedonian language and its Cyrillic letters. Where “*other minorities*”, make over 20%, that language ‘may be used’ for official communication, if required on individual basis.” There is no *concise specification*, as to what language, where, and how it would be used as official in both formal and informal way as well as in written and oral communication. Furthermore, there is no concise explanation as to what level of the state administration it would cover.

The Constitution in the USA

The United States of America has no official language! As many would assume that English is the country's official language, despite efforts over the years, the United States still, has no official language! What's been happening so far! Some States on individual basis are making efforts to change the situation according to their demographic picture, Alaska, Hawaii, Puerto Rico, New Mexico etc. As a result, the number of the states GIVING English a legal effect, making it the official language is on rise. More than a dozen of them have adopted this legal prescription in their constitutions.

Data - Analytical Part

Having a closer look as to how languages are used in the United States, it does give you a clear glimpse that does not match many other countries in the world. The USA does not have an official national language policy, a perfect example proving that languages are to be used in both official and unofficial ways, exclusively according to the demographic picture of its citizens and the regions they dwell. In the USA, language policies, implicit or explicit, are used to influence and control social behavior and communication, and the U.S. is a good example to this. This paper aims to make a comparison between the case of Macedonia and the USA, seen from the legal perspective. If the USA does not prohibit states from having one or another official language, in Macedonia, it is the Constitution which does not clearly state the use of Albanian as an official language, equivalent to the Macedonian. Furthermore, the majority of the U.S. states have designed English their official language; on the other hand, in New Mexico the Common Wealth of Puerto Rico and Hawaii there have designated both English and Spanish as co-official languages. Then why Macedonia can't do the same with designing Albanian as an official language as well? Should the current government as well as the one to come after the elections in December, profit from this approach, helping them solve the problem for good? If so, the Language Policy model in the USA can be a good example for the case, tracing the path of stable future for this tiny and politically troubled state of Macedonia.

Macedonia as a particular case

The figure below shows the current demographic composition of the inhabitants in the Republic of Macedonia, according to the results of the last census held on 2007. Although the Albanian minority has been shown to participate with 20% of the total population, there are theories and facts which assume that the Albanian minority in the country may reach above 30% of the total population, which may also be explained by the current growth of birth rate, especially in the north-western parts of the country.

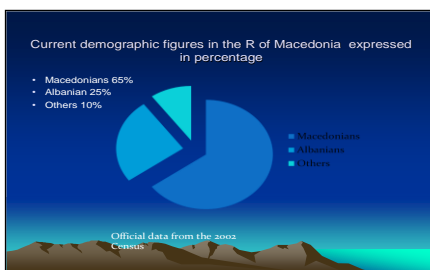


Fig. No. 1 Demographic picture of the population in Macedonia- outcome from the 2007 Census

The right of everyone to use his own language whatever language that is, is guaranteed by the rules and regulations of the European Union and its Institutions as well as the United Nations' regulations. Use of languages is one of the basic human rights which depending on the policies in various parts of the world, are not always implemented in a democratic and legal way. It is a common future especially in many countries where democracy has a longer tradition, as well as those where democracy is a new developing political concept, the approach to the right of language as a basic human right is implemented in different ways. In some new democracies, this phenomenon is all the time characterized by a censorship, which leads towards decreasing the use of minority languages at all levels of government. This comes into conflict the needs of the population living in the respective countries. In these countries there are two basic approaches what concerns the implementation of their language policy in practice. Both of them depend on the democracy level that these countries are practicing as well as the level of functionality of the rule of law in the respective countries. Namely, in the post-communist countries, since the late 90-ies, till nowadays, the language policy, although slightly changed and more relaxed due to the requirements of the European democratic institutions, the situation may be still assessed as pretty complex and not enough functional. On the other hand, the other group of countries i.e. the western democratic countries including many European countries as well as North America including Canada and the USA, the situation appears to be much different, compared to the situation of the right of use of languages in the previous group of countries. Another segment which gives a very rich database in this regard is the use of languages in written form, for official communication purposes. Seen from this perspective, the situation is even more complex and as such it proves to have many of legal as well as practical mal functionalities. This can be explained by the fact that basically there are two different approaches to the law and the authorities implementing the law. It is exactly here at this point, where the current situation of language policy implementation in the Republic of Macedonia can be explained. At first hand the answer needs to be looked for within the law and its eventual implementation, and an eventual modification in terms of improving its compliance to the real demographic facts in the country. Given fact that the implementation of the law on equal official use of languages, is guaranteed by acts of Parliament of respective countries, it is crucial to all authorities to comply with it, in an accurate way as it is explicitly written in the constitution. In this particular case, it is the Constitution which guarantees the use of another language other than Macedonian as an official language, without specifying which that language is.¹According to the Finnish Constitution, the law obliges the public authorities in terms of their responsibilities of taking care in providing social needs and all other needs, in terms of proportional use of these languages (Swedish and

¹ Constitution of the Republic of Macedonia, pg. 23 of the Constitution, year 2007.

Finnish) in practical terms at all levels of the state administration, according to similar principles valid for both ethnicities.² In the case of the Republic of Macedonia, it is exactly here at this point, where the problem is generated and as such it creates political as unhappiness which further on results in ethnical frictions and cultural intolerance, making impossible an efficient implementation of bilingualism in all levels of administration in the country.

Western democracies, implementation of good practice, elimination of obstacles of any nature

Given the gathered data on the field, as well as the analysis carried out concerning the functionality of bilingual paper work, there are two approaches which need to be taken into consideration. The first one is connected to the so called “English only” or “Macedonian only system” of administration, which imposes a *single language* for written communication between the citizens (read clients) and the local government. As to the first approach, regarding the gathered data, bilingualism for written communication, is generally *controlled by the law*, keeping Albanian aside, as a language which is not necessary to be used, unless it is required by the clients themselves, which in fact is commensurate to the law predictions as it is written. The situation has been proved by the interviews carried out with the staff; the observation activities related to the research as well as the analyzed data and the feedback from it. On the other hand, the situation at central level is almost inexistent for the very fact that this level is seen as predominantly controlled by native Macedonian speakers, thus the written language of communication, results almost all in Macedonian language and its Cyrillic letters. However, the overall immersion to a bilingual written paper work has already commenced, and it is being implemented for a decade now in the north western parts of the country, generally populated by ethnic Albanians.

If we take a closer look to the western system of language policy, which as such gives advantage to the “English only” model, we will be able to draw conclusions which in a very advancing way, give other languages a clear access to the written communication in both, local and national or central level.

The difference here can be explained on practical issues which are directly linked to the need of the respective speakers, rather than the law. This is a good point for new democracies like Macedonia, to follow this approach as a way to improve the situation on the field.

² Finish Constitution / Chapter 5, pg. 56, Official languages in Finland.

‘Constitutional changes’ a ‘new trend’ in some of the states, of the USA, an example to be followed

The English Only approach to the problem may be good enough to explain some of these differences between these two groups of states, although it has a different political etymology which works in other practical circumstances in various countries. Official English legislation (which detractors often refer to as ‘English only’) in a way is a tendency to “avoid the so called American Quebec”. From this perspective, this approach goes even further naming it the group (Canadian bilingualism) as a source of national disunity.³ The first group of countries applies a language policy which is in accordance with the law, regarding the language policy in those very countries. Respecting the law, the use of languages works appropriately, and in an efficient way, in every segment of administration of these countries both local and central levels. English is the official language of the State of Alaska. No legal effect to a law that simply makes English official language to the native Alaskans (*Alakayaks*).

As Albanians (unofficially), make 30% of the total population, bills demanding change of constitution, must be welcomed. The Legal effect must clearly state that Albanian is another official language of the country. Albanian factor does not object this initiative, as Alakayaks in Alaska do! Officials and clerks not speaking Albanian should to be stimulated to learn the language in an institutional way. This would support the rise of the overall level of mutual comprehensibility between the two nations”, and open doors to the production of all paper work in a bilingual format. Such implications in the US Language Policy imply an urgent of taking the case as a strategy of acting in the Macedonian Parliament. Thus, the problem with the case of Macedonia is twofold. A combination of an inappropriately and concise law on the usage of languages and the administration staff lacking the will as well as the necessary experience to put it into a full and democratic implementation, commensurate to the needs of the citizens of this country. All goes well, while we use spoken language as a solution to get across the everyday communication we need in order to get better integrated in the society. Speaking both languages equally, is the best solution, making communication easier and highly functional as well as constantly based upon the so called *principle of passive inter comprehensibility*. This trend is a recent one, actually wide spread across multilingual Europe and its institutions; and as such it is the best solution in highly developed multilingual societies.

³ U.S. English *does* support the continued usage and teaching of Native American languages within tribal communities

There are numerous multilingual and multiethnic societies where one single language is used as *lingua franca* to make people communicate. At first glance that seems good, but if we look deeper into it, we will see that it is a real *generator of communication mal functionalities and political crisis*, originating from the tiniest aspects of common life, in a given community or country. But things suddenly change for worse, when we have to deal with written form of language, actually with the so called administrative communication.

Dead ending in Administrative Communication- time span 2010 and onwards

According to what was said previously; the final results showed that there is a *tremendous discrepancy* in use between the two typologies of the paper work at the targeted sectors. There are institutions where Albanian is barely used in a small number of ordinary documents, while *Macedonian dominates almost all the paper work* actually put into use. Seen from the prospective of the origin, it is easy to conclude that this situation originates from the communist era, when all paper work, even in regions populated by more than 80 % of ethnic Albanians was administered in a monolingual model. The actual situation results as follows:

<u>Targeted sectors/ i.e. Institutions</u>		
Macedonian only	Bilingual (M/Alb.)	
■ Court:	100%	9%
■ Municipality:	100%	35%
■ Social Affairs:	100%	15%
■ Dept. of Internal Affairs:	100%	15%
■ Public Health Clinics	100%	23%

Fig. 2. Monolingual vs. Bilingual paper work at institutions where ethnic Albanian made up to 80% of the total population-Lack of communication efficiency

As it can be seen, the institutions, where Albanian is seen as a *“foreign language”*, are the Courts, the Department of internal affairs and so on, which in fact represents a situation illustrating a dead end of both written as well as oral communication between the two main communities in the country. The Overall low rate of insertion of bilingual paper work in the Juridical, Social affairs, Public health and Dept. of internal affairs, results rather low. The sector of the Municipality has shown a slight rise of the bilingual documents in its administrative communication between the official and the citizens themselves. The lowest rise has shown the Juridical sector where the Albanian, appears as an informally spoken language, and as to its official use in juridical procedures, it is only through translation which as stated by law, it can be

provided only upon clients request. In this regard, Macedonian manages to keeps always its status of *lingua franca*. Complying to the Constitution prescription i.e. the “legal effect given to Albanian”- consequences Practicing such a Language policy, as prescribed by the current constitution, according to the research database gathered, there is no evidence showing that bilingualism as a model aiming to improve the communication at the target levels, as well as at central levels, has got to a standstill. In other words there is an overall shun of Albanian from the overall use in the region where are located the Albanian Institutions, supposed to serve this ethnic community.

Macedonian only	Bilingual (M/Alb.)	
■ Courts	100%	6% (low rise)
■ Municipality	100%	40% (5% rise)
■ Social affairs	100%	30% (10% rise)
■ Dept. of Internal Affairs	100%	10% (low rise)
■ Public Health Clinics	100%	25%(2 % rise)

Fig.3.The impact of the constitution, on bilingual paper work-time span 2010 and onwards.

Namely, there are internal and external factors that play either positive or negative role regarding this issue. Although there is an unclear law which has passed in the Parliament, this law is not yet being put into practice. Its consequences are having a strong impact in the insertion of Albanian as an official language for written administrative purposes. The external factors i.e. the law, does not clearly specify how, who, where and what’s the appropriate procedure to do this. It is simply a law which is not concise, for the very fact that it does not mention the Albanian as an official language for administrative communication. Why this is so, it’s to politicians to clarify and to take appropriate measures in order to make this law more specific and of a higher functionality. The internal factors are of a reach variety and as such they are of a constant presence, which prevents the integration of Albanian language in bilingual paper type. Asking an Albanian employee, why this document has been issued in a language that I don’t understand, the answer will be: It is the law that we are waiting for to be implemented! Many of monolingual Albanians as well as bilingual ones, have difficulties regarding the quality of the services they are supposed to be served from the authorities, this for the very reason that they pay the government for these services. This goes even further on, making the general communication harder and in particular cases impossible to happen. These are cases when people coming from the surrounding areas, who do not speak Macedonian at all, i.e. those who are monolingual, a fact which even more makes critical and unsecure the feeling not being able to pass through the so called *communication iron curtain*, between the officials and the citizens themselves. Socially seen, to many Albanians, these circumstances

may be seen as a *linguistic i.e. cultural exclusion from the society in which they live*, because of the very fact, that having to deal with the rules of law and the legal state, in democratic circumstances, is a basic human right that anyone has to enjoy.

Conclusion-Discussion

Having in mind that the recent figures show a slight boost forward in using this type of model, as such it represents one of the challenges to meet, in times when the country undergoes deep changes in every segment of its political, cultural and economic life and especially when a new language policy is required by the European Commission, as a requirement to start the EU access negotiations. In this regard, the main conclusions which need to be taken into consideration for a further advancement of the issue are as follows: The phenomenon of “passive exposure to languages”, with the course of the time has proven to make people competent in both languages equally. At a given point of time, seen from the legal perspective, this would mean immersion of Albanian as an official language, as prescribed by the Constitution. Reconsidering these reflections, would be a good and fair way towards the integration of the Albanian language in “a reborn linguistic brotherhood along with Macedonian, contributing that both main nations, respect each other’s linguistic values. The best example to illustrate this “the new status”, would be the Belgian the Swiss and the Kosovar as well as the Canadian model. This approach, would contribute to strengthening a Functional Mutual Communication Intelligibility, as a crucial condition in getting the two nations ‘closer to each other.’ Furthermore, Media can contribute to a strong immersion towards learning Albanian. Many examples, unfortunately all in Albanian-Macedonian model, and dozens in Canada, Switzerland etc.), but no Macedonian-Albanian Bilingual Televisions so far!

The Expectations?

“Passive exposure to TV, i.e. Albanian”, for Macedonian speakers as an imperative of time, will make people switch TVs to watch Albanian shows, as this would meet their daily needs of coexistence imposed in a bilingual society. Albanian will be ‘welcomed’ spontaneously and used as a communication asset. Code-switching, will be an ‘informal way of immersion’ into communication in Albanian, between the both nations. Same with the children, where a predominantly bilingual society, where children go to school and play together, Code switching will be a way to survive among bilingual friends. Defining such a strategy, does impose lots of effort from all Albanian factors, consulting all the time the Albanian intelligence and experts, while politicians will be those who would articulate this strategy into the practice of use. Creating such a ground where languages will be coexisting together on the premises of an equal bilingual comprehensibility” where to the individuals from both sides will

not be a problem to communicate in each of the languages at the same time, and where the message will be comprehended conveyed from one side to the other. Such a communication strategy is the model which has been working perfectly in many countries in Europe and worldwide, creating this way a solid ground in those countries (mentioned at the beginning of this paper), have given the languages equal legal effect, which as such has been implemented in practical terms once and for good, reaching this way the highest democratic values, where people of different ethical background, feel the state they live in, as their home.

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