INNOVATION, WORK, SOCIETY

THE DEVELOPMENT OF LANGUAGE OF NATIONAL MINORITIES IN UKRAINE: PUBLIC GOVERNANCE CHALLENGES

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Summary
The article is devoted to the research of the conceptual approaches the Ukrainian State is implementing. In the prism of legal base and its adjustment, and, a strategy program documents approved by the Government. On the issues, related to the development of an ethnic languages in the view of realization by national minorities their rights.

The novelty of the article, it envisages getting to the point by means of the discussion of various models implemented by a State in the regulation of the ethno-political sphere. Thus, the object of the study is the concepts of the public policy, with the State language policy includes. Which resulted in the development by national minorities their native language, in particular as the subject.

The aim is to consider the classic models of the ethno-policy set by the UN, and some of those variants proposed and discussed by the domestic and foreign researches. Particular attention given to the tendencies in the Ukrainian ethnic environment caused by the external factors. Due to those, the reintegration model is getting its highest and prior challenge to stand by authorities of Ukraine.

Conclusion been drawn on the relevance of Ukrainian conceptual approaches to the international. The promising areas of governance outlined, taking into the account the specifics of the state of modern Ukrainian society.

Keywords: ethnic component, language of national minorities, conceptual approach, public policy, State language policy, model of reintegration.

1. Introduction

In the prism of the multilingual ethnic environment of Ukraine, which consists in present of approximately 60 ethnic languages, as compare with 79 languages in the late 1990s *(Panfilova, 2010)*. Thus, the challenge for the State in regulation of the development of a language of national minorities stands among the highest.

In this situation, V. Kulyk positions the State language policy as one of the important components of national consolidation, "which aims to enable different groups of citizens to communicate effectively with each other, and at the same time instill respect for a language (or languages) as a marker, value and factor of nation development" *(Kulyk, 2020:121)*.

In different contexts, the development of a language of national minorities has been the object of attention of such domestic scholars, as V. Andriiash, B. Azhniuk, L. Belei, D. Hrytsiak, O. Kalakura, L. Klymenko, A. Kolodii, A. Korzh, V. Kotyhorenko, T. Kovalova, V. Kulyk, O. Kuts, T. Kyiak, P. Nadolishnii, L. Nahorna, L. Nevara, S. Rymarenko, S. Savoiska, M. Stepyko, Ye. Tkachenko, O. Yalova, H. Yevsieieva, T. Yudyna, V. Zablotskyi and others.

Among foreign scientists, whose attempts to comprehend the problem of the development of national minority languages in the aspect of the implementation of the State language policy, it necessary to mention J. Besters-Dilger, L. Carlet, R. Cooper, J. Fishman, E. Haugen, W. Kymlička, D. Laitin, C. Mar-Molinero, A. Patten, H. Schiffman, T. Skutnabb-Kangas, M. Smith, B. Spolsky.

However, insufficient modern scientific works are devoted to the analysis of current trends in terms of a State regulation of the right of national minorities to develop their native languages, as well as the challenges a State is facing.

This is the relevance of this article, which aims to study conceptual approaches of the State regulation of national minorities in Ukraine, particularly in protection of their rights to develop native languages, as one of the major marks of self-identification. Accordingly, the research task is to analyze the legal base of regulation of national minorities as an object of goal setting, in the narrow sense – the development of their native languages.

The implementation of systematic and historical analysis, as well as empirical research has revealed main features of classic models of the ethno-national policy, the consequences of their implementation by the authorities in Ukraine at different periods of country transit. As the result, analysis of current trends in the legal base and program State documents has highlighted the direction of adjusting conceptual approaches to regulate a language of national minorities. The novelty of the article is that the disclosure of the subject of the research carried out though the paradigm of transformation of conceptual approaches of the State regulation and the models implemented discussion. The challenges due to the impact of external factors on an ethno-national sphere are also took into the consideration.

2. Models of ethno-policy implemented in Ukraine

In an attempt to protect itself from the effects of the Soviet past, the approaches of the Ukrainian democratic patriotic leaders immediately after the Independence clearly showed their complete departure from so-called "center − periphery" style models. A. Bereni identified this policy as the "provocative" intention by the elite, as compare with the rest republics of ex-USSR, which remained under modified "Soviet" regimes *(Bereni, 2007)*. As E. Smith aptly put it, the ethnic leaders of those groups have long used the minority to subjugate to their own political interests, exploiting slogans ranging from language to economic oppression. In such cases, the "ethno-social stratification" been formed between ethnic groups, inequality of the population of the center and the periphery" *(Smith, 2006:90, 91)*. The model of "Melting Pot" which means, "the free merging of different ethnic groups into a single nation" *(Hall, 1997:8)*, did not work in the United States and the Soviet Union. The "Mosaic" model, according to which the perception of culture in a society where ethnic communities are static, it contradicts to the natural properties of the elements of the ethnic component. We can agree with S. Bondaruk, that the disadvantages and cause of the negative consequences of the implementation of "mosaic" or "cauldron" is a misunderstanding of the dialect of national and universal culture, and other philosophical categories (single-special-universal, specific-abstract) *(Bondaruk, 2003:116)*. Thus, outdated and unjustified models of a State regulation of the ethnic environment are been

replaced by more modern classical models of the United Nation. As the UN identified in special study in 1971, the models of ethno-national policy as per racial discrimination in the political, social and cultural spheres are assimilation (integration), fusion / diffusion, segregation and pluralism.

By the author view, from the very beginning, the Ukrainian government has implemented the model of pluralism that is commonly characteristic for poly-ethnic societies. It is to remember that, aimed at uniting ethnic groups based on equality and respect, this kind of model also appeared with the opposite properties – it symbolizes the internal separation. It means, there is always a threat of intensification of natural or forced disintegration tendencies from the outside. In the other words, once national minorities matter, from the country of historical origin of those minorities. A distinctive feature of the model, which is in the United States is called the "model of multiculturalism", is the departure from the ideal society based on a single language, common aesthetic and ideological traditions of national cultures in favor of equal co-existence of many cultures of different ethnic, social, religious and linguistic groups with their specific identities.

In general, a multicultural society provides a citizen with the opportunity to preserve his or her identity though free choice of which cultural or linguistic markers are his or her own. As the world practice told us, with Ukraine includes, an individual can identify himself simultaneously with several languages while maintaining his own culture. Therefore, such model encourages constructive dialogue between ethno-linguistic and ethno-confessional groups and within it different types of ethnic identity considered equally valuable as components of the overall national and cultural context.

As R. Korshuk points out: "The policy of multiculturalism seeks an organic combination of national identity and ethnic identities of various groups inhabiting the country" *(Korshuk, 2010:5)*. A. Kolodii highlights the integrative multiculturalism that removes and reconciles the contradictions and promotes understanding. According to him, this determines the relevance for young nation-states of the proven principle "one State – one dominant social culture", as the guideline of ethno-politics for post-communist societies, including Ukraine, which are forced to combine tasks of modern and postmodern eras *(Kolodii, 2008)*. Thus, if integration aimed at ensuring equality of personal rights and freedoms of citizens, the policy of multiculturalism provides for the protection of collective rights and equality of individual and collective rights of minorities.

Assessing the role of the assimilation (integrative) model, V. Andriiash, by recognizing its positive features, suggests to implement some elements in view of the specifics of nation- and State-building. For example, to overcome separatism: methods of liberal democracy, which is based on the right of the individual to freely choose between voluntary assimilation and its avoidance *(Andriiash, 2013:5)*.

It is worth to add, the assimilation model also called as the "integrative" due to the peculiarities of the integrative function of politics in poly-ethnic and multilingual societies. The integrative version of legal (constitutional) ideology involves focusing on the unconditional priority of established customs and traditions, values in the process of its justification and functioning, compliance with the status of Ukrainian as the State language, etc. Which should be concentrated in the language of law, its norms.

According to O. Kalakura, this should facilitate preserve the identity of all components of interethnic and intercultural interaction. Cultural diversity is not a factor of division, but a source of enrichment of Ukrainian society, the opportunity for Ukrainian citizens belonging to national minorities to have the same conditions as ethnic Ukrainians for self-realization in all spheres of public life *(Kalakura, 2019:270)*.

As it has evidenced by the arguments during the international scientific event at the University of St. Gallen (Switzerland). That it is the soft, non-confrontational nature of international differences that makes Ukraine relatively stable. It opens promising opportunities for national integration based on a common civic identity *(Dyskusiia, 2019)*. The opposite effect should not have been left out of our attention – the marginalization in a society. According to the report of the Razumkov Center on the results of a sociological survey in 2020, this phenomenon comes into the effect where the long-term stay of part of the Ukrainian population took place in foreign socio-cultural, religious, ethno-political conditions, "prolonged linguistic and cultural assimilation" *(Riven, 2020:288)*.

According to T. Yudina, there is also differentiated segregation – i.e. segmental assimilation, which emphasizes certain areas of society *(Yudyna, 2020:102)*. In the broadest sense, the problem of discrimination and segregation based on ethnicity can be completely avoided by a State with an ethnically homogeneous population (the only such country is considered Iceland) *(Barry, 2001:78)*. In the reality of Ukraine, for example, the situation in the Hungarian and Romanian-speaking communities of Transcarpathia, whose adult population did not speak the State language, using their native language in communication with each other, or Russian with other ethnic groups, the implementation of the Law on Education, proved constructive. As a result, the preconditions for further segregation tendencies not only in relation to those national minorities, but also in other ethnic groups, had neutralized.

Let us touch upon the other concepts of ethno-policy, that have been in the focus of domestic researches as per possible implementation in Ukraine. The model of the "ethno-cultural neutrality" of the American sociologist M. Walzer – when the States of the liberal political system professes neutrality in relation to the ethno-national identification of its citizens, which leads to incompatibility of the principles of individual freedom with liberal values and ethnicity. M. Walzer's vision is, when a liberal State stands above all ethnic and national groups in the country, refusing to approve or support their way of life. It is neutral in language, history, literature *(Walzer, 1994:9)*. P. Nadolishnii argues, that the idea of supporting the "ethno-cultural neutrality" by a State − this is a myth, false both historically and conceptually. He adheres to the conclusion, that it is practically impossible to implement projects of both a civil nation and a multicultural State in post-communist countries *(Nadolishnii, 1999:19)*. The concept of the Canadian philosopher of Czech origin V. Kimlička called the "nation-building state" and based on the idea of "ethno-cultural justice". According to this model, federalism has proclaimed the guarantor of the protection of the rights of national minorities in poly-ethnic States *(Smith, 1998)*.

Declaring the federalism as the most democratic, according to M. Stepyko, is an essential threat to the establishment of Ukrainian national identity. The scholar emphasizes the fallacy of Crimea's autonomy, the federal principle in Donbass: "Federalism makes sense when it is built on the implementation of democratic principles of local self-government and does not create conditions for strengthening forces that destroy the integrity of the State" *(Stepyko, 2019:261)*.

Concerning federalist scenarios, O. Batanov, in the context of study the axioconceptosphere of modern unitarism, calls the idea of federalism artificially cultivated and de facto demonized in Ukraine. His suggestion: "The formation of a holistic and constitutional basis for modern Ukrainian unitarism will play an important role in the process of counteracting pro-Russian federalist and openly separatist scenarios for the development of national statehood. This emphasis is not accidental. After all, the term "unitarism" in some foreign publications is given additional meaning in the context of its comparison with the concepts of "federalism" and "federation" *(Batanov, 2021:197)*.

Gradual involvement of the country in the orbit of European processes, harmonization of domestic legislation with international norms, resulted in modernized concepts in the public policy. We agree with V. Andriiash, who identifies the problem of finding the optimal model of interethnic interaction relevant and connects its solution with national, cultural, linguistic, religious orientation and identity. Against the background that the ethnic structure of society is in the process of reform within "two world trends − integration and differentiation, which determine the country's development scenarios and the specifics of ethno-political processes, highlight the need for the State regulation that would ensure harmonious development of each ethno-national community as a self-sufficient phenomenon and unique cultural phenomenon. In one case, ethno-political processes lead to the destruction of a State, and in another – on the contrary, contribute to its development, which is due, among other things, geopolitical factors" *(Andriiash, 2013:12)*.

3. Tendencies and challenges in public policy

In the conditions of modern political and socio-cultural development, the adoption of the Law On the Indigenous Peoples of Ukraine *(Pro korinni narody, 2021)* is one of the important measures of the Ukrainian government. We add, carrying out of the constituent international summit of the Crimean Platform. As well, approval by the Cabinet of Ministers of Ukraine of the draft program document – the strategy for the development of the Crimean Tatar language entitled "The Concept of Development of the Crimean Tatar language for the period up to 2032" *(Kontseptsiia, 2021)*, and the National Strategy for Human Rights *(Pro Natsionalnu stratehiiu, 2021)*.

The Paragraph 12 of the National Strategy for Human Rights envisages, with the aim of bringing the rights of indigenous peoples and national minorities into the line with international, including European, human rights standards, as well as the conditions for the development of the ethnic, cultural, linguistic and religious identity of all indigenous peoples and natural minorities, intercultural dialogue.

To proceed our discussion, we notice the adoption of another document – "The National Strategy for Civil Society Development in Ukraine for 2021 – 2026" *(Pro Natsionalnu stratehiiu spryiannia, 2021)*. As a basic concept, on which the activities of the State should develop. It defines, that "no decisions without civil society" and cooperation of public authorities, local governments and civil society institutions at all stages. One of the major principles of this program document – equal opportunities, provides for the realization of civil rights regardless of, including language characteristics. Thus, we could suggest a positive trend of development of the approaches directed to the consolidation of Ukrainian society, by integrating the ethnic component within entire society.

I. Kresina has her own, an interesting vision of the integration way: "The Ukrainian society needs consolidation around a certain positively colored national idea and it should be the reintegration of Ukraine" *(Kresina, 2016:66)*. By specifying, she notes, the need to "develop a comprehensive policy of reintegration of the temporarily occupied territories by" developing recommendations and legislative initiatives to improve the legal framework of reintegration policy as part of ethno-national policy" *(Kresina, 2016:63 – 64)*.

On the said opinion stands V. Yavir: "Reintegration of Ukraine is to be considered in the context of the ethno-national policy of Ukraine" *(Yavir, 2018:8)*. By evaluating the implementation of the integration model, V. Yavir argues, that the unique form of the integration not developed yet, which could take an advantage for Ukraine. Therefore, the ethno-national

policy of Ukraine needs a significant review and amendment, taking into an account the realities of the ethno-political conflict *(Yavir, 2017)*. We could agree to the point shared by both researches above. By author's suggestion, it is necessary to socialize the content of the concept approach of "reintegration". Which currently is being introducing into the political discourse with an emphasis to the territories, areas or regions.

To confirm it, we found in the Webster's New World Law online-dictionary: "The definition of community reintegration refers to the process of transitioning from a state in which an individual was not a functioning member of society into a state where the individual controls and directs their own life" (*Community reintegration*). Thus, the social meaning is featured by the need for individuals (in the reality of Ukraine − the internal displaced persons). Those, who having been in new social, cultural, linguistic environment, require means to overcome obstacles, adaptation and restoration of the situation in society.

By V. Yavir's point, the reintegration designed to eliminate those obstacles, ensuring such persons with mechanisms, ways, models of integration and participation is a society *(Yavir, 2017)*. Modern reintegration mechanisms of a State regulation include legal acts.

First, we suggest, the Law On the Special Order of Local Self-Government in Certain Regions of Donetsk and Luhansk Regions *(Pro osoblyvyi poriadok, 2014)*. The law, which formulates a special linguistic policy for non-controlled territories by Ukrainian legal authorities. In the Art. 4, the right to self-determine for each resident in certain areas of Donetsk and Luhansk regions, is guaranteed. Regarding the language, he or she considers being native, choosing a language of communication, free use of Russian and any other language in public and private life. Studying and supporting Russian and any other language, their free development and equality with a meaningful reinforcement of the idea of reintegration.

We proceed with the State regulation of the development of the language of the Crimean Tatar people. As it considered above during the discussion of the Law on the Indigenous Peoples of Ukraine and The Concept of Development of the Crimean Tatar language for the period up to 2032.

From the side of interaction and participation in a society, B. Tsilevych explains, this is always a two-way process, which provides for the adaptation of the participants of the ethno-political process to each other, establishing a dialogue and the search for compromises on the background of providing basic values and the preservation of diversity *(Tsilevych, 2016)*. The scientists used such terms, as "society – recipient", "ethno-community ("national minority" or "indigenous people" – author) – Donor", interacting in the process of reintegration.

Obviously, in the process of reintegration, a significant role belongs to information and its exchange, communicative interaction of all interested actors. Therefore, on the author's view, the Crimean Platform *(Zelenskyi zaproshuie, 2021)* is the example of effective social communicative mechanism. Which involves into the Crimean issues a wide range of participants in different levels, all around the world.

4. Conclusion

Summing up the above, assessing the concepts, which formulate the public policy of regulation of the development of a language of national minorities in Ukraine, we may suggest as follows. Mainly, it could considered as a large extent of relevance to fundamental international approaches.

By reflection the principles on which the State policy of Ukraine based, we notice:
– Formation of a legal democratic State;
– Priority of the law and rule of law;
– Harmonious relevance between the international and domestic legal norms in protection and guarantying the rights for national minorities;

– Ensuring the equity of ethnic component;
– Preservation of national sovereignty and territorial integrity;
– Poly-ethnic and poly-cultural pluralism;
– The availability of basis for harmonious development within the State of the ethnic components alongside with the title nation.

In order to prevent conflicts, discrimination as towards fulfilling by national minorities their rights to develop languages or other major marks of self-identification, the State has effectively resolve tasks as follows:

– Strengthening the base to ensure co-operation between the authorities of all levels and civil society institution presented by ethnic component, within the programs of public-private partnership;

– Modernization of conceptual approaches alongside with classic models of ethno-policy will provide more impact once the integration model will get certain priority;

– Involving the representatives of national minorities to full extent to the process of formulation or enhancement of public spheres, which are sensitive for the ethnic component, such as language policy, participation in decision making and its implementation, under the leading role of the State government;

– Persuading the reintegration direction of ethno-policy by introducing the State mechanisms to incorporate the internal displaced persons into aspects of social life, vital for the ethnic component.

In the meantime, the additional study required, relating to issues as per the State regulation of the development of a language of those national minorities, which affected too much due to the external factors. In the context, to assure national minorities or indigenous peoples, the right to develop native languages within the territory of their new settlement.

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