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THE JURIDICAL CONSTITUTIONAL STATUS OF THE ALBANIANS IN MACEDONIA.

The democratization process of the political life that swept our territories, too, by the end of the 8th decade of this century was inevitably manifested in the Albanians of Macedonia, who since the first months of 1990, searched for ways and forms of political organization. Hence, on April 15, 1990 the first political organization in this territory was founded, the Party for Democratic Prosperity. The Albanians in general, but also the sympathizers of other nationalities and ethnic groups, joined its ranks. Since the first draft of its program, this party was declared for parliamentary democracy, for dialogue in resolving problems and participation in the elections for power. It aimed at the setting up of a joint state and parity for all the citizens of Macedonia, where the practicing of civilized and democratic dialogue would be applied, where the citizen, despite his national, religious or racial background would be free and on an equal footing in all fields of social, economic, educational and cultural undertakings. On this occasion the Albanians were declared in favour of equality and division of power with the other political parties, convinced that they should continue in this way in their further activity, in forming a concerted democratic power for all the citizens living in this multi-national Republic.

During the summer of 1990, it was undertaken to prepare the first parliamentary elections, hoping, according to its declarations, for proportional participation in the new state power and in the entire social and political life. But, the Macedonian party, and particularly the Communist Party, still in power, as well as the other parties founded during this period of time, did not manifest readiness for cooperation and sharing of power with the Albanians. This became evident during the drafting of the Law elections, which proposed the application of the system of majority and not of proportionality. The government compiled this draft-law, which was adopted by the Assembly of that time, being convinced that the Macedonians would attain the majority in the elections and would keep all the power in their hands, without sharing it with the Albanians, although they knew that the number of Albanians in this Republic was considerable. They were aware of the fact by applying the proportional system, real possibilities would be created for the Albanians to obtain 30-35% both in local power and republican power. For this reason they did their utmost to adopt a law which was in favour of the majority election system. It was in this way that the then government acted in preparing the law on constituencies. On this occasion they made maximum efforts to attain Macedonian dominance in these constituencies, whereas the Albanians constituted a minority and in this way a greater number of Macedonian counselors and deputies would be attained. Numerous injustices were perpetrated during the elections. In those regions where the Albanians won the majority of votes, the polls were repeated twice or thrice, aiming at providing the possibility for Macedonians to win more counselors and deputies. In this way approximately 8 000 voters for the Albanian deputies, whereas for the Macedonian

received about 3 600 votes. By means of this procedure the Macedonians practically secured the majority in the elections and did not allow the sharing of power with the Albanians. This policy enabled the Macedonian political parties to accomplish their political strategy through the election laws. But despite the policy pursued by the communists in power, during the election campaign the political parties worked hard and thanks to the readiness of the population they represented, they managed to elect a considerable number of their representatives, both in the local organs and in the republican ones.

In the elections held in November 1990, out of 120 deputies elected in Macedonia's Assembly, 23 were Albanians and Romanians, whereas 96 were from the Macedonian parties. With regard to communal assemblies, the population was a mixed one. The Macedonians won the majority, with the exception of Tetova, Gostivar and Dibra, where the Albanians won the majority of counselors. Due to incompatibility of the Macedonians and concessions made to them by the republican power, the constitution of the Assemblies was delayed for more than a year in the communes where the Albanians obtained the majority of counselors. It should be underscored that in these three communal centres, there was no competition among the parties, because all the Macedonian parties formed the anti-Albanian bloc, which aimed at not allowing the Albanian parties to take power.

With the constitution of the republican power, the Albanian deputies voted for the election of the president of the Republic and four vice-presidents of the Assembly, one of them an Albanian. As far as the election of the government is concerned, the Albanian deputies did not vote in favour, because the Macedonian party did not abide by the preliminary agreement. In the government formed at that time there were two representatives of the Albanians and one of them was assigned with the duty of vice-prime minister. Hence, the Albanians who, according to the number of deputies in parliament occupied the third place, were not represented in the government and its organs in a proportional way.

In their parliamentary activity the Albanian political parties have abided by the principle that the bearer of sovereignty in this republic cannot be only a nation, but all the citizens irrespective of their national origin. Contrary to this, the Macedonian parties that came to power have sought and seek that the only bearer of power there be the Macedonian people. This would lead to the proclamation of Macedonia as a state of a single nation, while the other peoples would be denied this right, and consequently, they would be considered second rate citizens.

In Macedonia, international relations have a bitter influence and heritage from the past, because in that republic the power has wholly been in the hands of the Macedonians. During the first two years of the existence of the new power, but today, too, numerous are the hindrances created with regard to the implementation of parity for the citizens of various national belonging. This was clearly expressed even during the discussions on the adoption of the constitution of the Republic in November 1991, when the parties of the Macedonian bloc insisted at all costs on proclaiming Macedonia a single-national state. Such a thing deprives the other citizens of the right to citizenship. The Albanian deputies turned down this attitude, but nevertheless this spirit is present in the preamble of the constitution. It reads that Macedonia is a national state of the Macedonian people, which guarantees parity to the Albanians.

Turks, Romanians, Wallachians, as well as to other nationalities and ethnic groups. But this has not found its expression in the normative part of the Constitution, while in some of its articles the non-Macedonian peoples are put in an unequal position regarding the implementation of their rights. The above-mentioned facts urged the Albanian deputies to vote against the passing of this constitution, to continue the endeavours for its change and to create a juridical basis which would place all the citizens of Macedonia on equal footing.

Not meeting the understanding of the Macedonian state organs, aiming at improving the status of the Albanians, the Albanian parliamentary group and Albanian political parties declared and organized on January 11, 12, 1992, the referendum where in the Albanian people voiced their will to enjoy an autonomous status in the framework of the Republic of Macedonia. Through this action they demanded to obtain special treatment both from the government and the European political subjects. The persistence of Albanian political subjects in making the inner problems of Macedonia has given its results, particularly with regard to the commitment of their institutions, to easily find domestic solutions. The measures adopted in this respect have ensured a better and more objective information of the European and international public opinion on the just and natural demands of the Albanians in Macedonia and particularly of the European Community, that should recognize Macedonia as an independent and sovereign state. Thanks to this intervention of late, the three lateral talks began among the representatives of the EC, the government of the Republic of Macedonia and representatives of the Albanian party. These talks which were held sometimes in Macedonia and sometimes in some European cities discussed and examined questions of political-juridical importance, such as the law on local self-governing, drafted by the Macedonian government and to be examined by the Assembly, the draft-law of the government on the Albanians' education, particularly secondary and higher education. This draft was dictated by the fact that the existing law restricted the Albanians from right to schooling till the completion of secondary education.

In the talks conducted in the presence of international mediators, the important agreement on the census of Macedonia's population, due to be held in April 1994, was attained. On this occasion the Albanian party underscored that the Albanians boycotted the census of the year 1991 because they were convinced that the government had resorted to manipulations and manipulated it for political purposes regarding the number of population according to national origin. In the aforesaid talks between the two subjects, they set forth the question of proportional representation of all the peoples in the organs of local and republican state power as well as in all the cultural, educational, scientific and economic institutions of the republic. But, as is already known, these problems are closely linked with the census of the population, just like the question of the use of the Albanian language in the administration of local assemblies, in schools, etc., is linked with that. Under these circumstances, it is necessary to attain an objective population census under the presence of international supervisors, which are considered indispensable.

During the examination of the law on local self-government the Albanian party demanded that in those communes where the Albanians account for more than 15 per cent of the population, the Albanian language, too, be used as an official language. But the persistence of the Macedonian party, which demanded that this

percentage be above 25 per cent did not lead to the harmonization of stands and a final agreement.

In the discussion of the draft-law on education, the Albanian party demanded the equal unrestricted registration of Albanian pupils in the secondary schools and the defining of secondary schooling centres for teaching in the Albanian language during the coming school year. With regard to these proposals, the adoption of the Law on secondary schools is expected. We hope it will be somewhat more objective. Meanwhile, the request of the Albanian party that higher education in the Albanian language begin with the opening of the coming school year of the faculty for training teachers, has not yet got the official approval of the Macedonian organs. Dwelling on the problem of higher education, the Albanian party demanded the guaranteeing of a 10 per cent quota for enrolling Albanian students by the existing faculties in Macedonia.

In the three-lateral talks the question of the information on the Albanian language was set forth. The Albanian party demanded that the editorial staff in the Albanian language at the Skopje Television be raised to the level of a programme with several departments, with the purpose of creating premises for better allround information. Due to recent changes, broadcasts in the Albanian language on TV have been augmented from 30 to 60 minutes, and over the radio from 3 to 6 hours.

In the course of the recent aforesaid talks, the question of the opening of the Albanian scientific cultural institutions was discussed. In conformity with article 48 of Macedonia's constitution, the government has expressed its readiness to found the Institute of Albanian Folklore and Culture. In Macedonia there is a drama theatre in the Albanian and Turkish languages, as well as several Albanian cultural-artistic associations and professional societies.

Of importance in these three-lateral negotiations is the question of proportional representation of the Albanians in the administration, state organs and institutions. So far no evident success has been achieved in this respect, except in the present state - the vice-premier, four ministers, four vice-ministers and the vice-director of the customs of Macedonia are Albanians.

In the Macedonian army there is a number of Albanian officers of different military rank, but not very important posts. With regard to police service, promises have been made of late to improve the structure of this service in favour of the Albanians, but things are moving so slowly, and their number in this service is very small.

The aforesaid facts go to show that the Albanians in Macedonia do not yet have state-forming status, but for the moment they enjoy the right to take part in the organs of power. This is undoubtedly a long-term process, but we are expecting radical changes to take place in the future. Only when, with their participation on an equal footing, the Albanians become power-bearers and responsible for the progress of state affairs, then they will rightfully be considered as state-formers and state-bearers. These steps are to the benefit of Macedonia itself and its transforming into a democratic and parliamentary state, where all the citizens enjoy equal rights but at the same time share equally the responsibility for the further promotion of the democratic processes, the economic, social and political stability of this small state in the Balkans.

In order to achieve this goal, major efforts are needed, because a good part of the political forces in that country think that only they have been destined to govern.

while the others should only serve. Through facts and daily efforts we should help these forces liberate themselves from the erroneous hypothesis of the past, that the time of power imposition on others belongs to the past, and that they should comply with reality and democratic developments.

We expect the Macedonians to undertake as soon as possible a concrete step towards a more democratic will, a thing which would create real conditions for a joint, par and democratic Macedonia. The Macedonians should be convinced that there is not another alternative except the one of setting up a democratic state of equal citizens. The perspective for all is ensured by attaining equality for all. Henceforth, the Albanian political subject strives to adjust the affairs in its state called the former Yugoslav Republic of Macedonia.

What is the status of the Albanians in the Balkans? The Albanians are a people who belong to the Balkan region. The Albanians are a people who are not a nation, particularly Prince Shkërbërë, who was the first to call for the Albanians in the document of the Albanian nation.

The Great Powers that signed the Berlin Treaty (1878) were not interested in the unification and annexation of their territories. The Berlin Treaty of the question of the East. Lord Beaconsfield was a great statesman and a great man of the Berlin Treaty was the arrangement of the Balkan region. The Berlin Treaty that the struggle for occupying the Albanian territorial disputes in the year 1880. Since that time problems arose for the Albanians who have been trying to resolve them for more than a century. Characteristically, the Albanians are a diversified national composition. According to Yacovitch, a great scholar of the Republic of Montenegro is composed of Montenegrins (61.84%), Muslims comprising (39.93%), Serbs (14.67%), Bosnians (2.52%), Croats (1.61%), Albanians (0.58%) and Yugoslavs (1.53%).

Following is the number of Albanians in the territory of Montenegro, chronologically: in 1707, 12,307; in 1807, 12,307; in 1878, 12,307; in 1919, 15,779; in 1948, 19,425; in 1957, 23,465; in 1968, 27,013; in 1978, 35,674; in 1981, 37,735 and in 1991, 40,883.

In order to give a clearer picture of the situation of the Albanians in Montenegro, we deem it reasonable to divide it in two periods.

The first period begins with the annexation of the Albanians to Montenegro. The decision of the Berlin Congress (1878) gave the Albanians a certain right with the Albanians, but these documents were disregarded by the Montenegrin authorities. Due to maltreatment the Albanians were forced to start a struggle for freedom. In a article published by the press, in 1887, it was said that "according to our knowledge from Ragusa, the majority of the Albanians that have remained under Montenegrin rule have abandoned their hearths and have emigrated to Albania in order to escape from the violence of the Montenegrin power. The Montenegrins government forced the Albanians to carry out military services and other work in their lands which are contrary to their customs and traditions. Customs which according to the agreement have been foreseen to be applied after a long time has passed". In order to protest against the policy of violence of the Montenegrin order the Albanians organized the "Committee of the Albanians" in general this period was characterized by a complete lack of civil and human rights. With the formation of the first state

